CITY OF AUSTIN Board of Adjustment/Sign Review Board Decision Sheet

DATE: Monday, March 14, 2011	CASE NUMBER: C15-2011-0022
standingY Heidi Goebel Motion to	tion irman – absent Chairman 2 nd the motion to Deny Deny standing (Vote 2-4): Motion to
Grant and reverse the decision of the dep	artment
NYMelissa Hawthorne	
APPLICANT: David, Bole ADDRESS: 1204 9TH ST	
VARIANCE REQUESTED: An interested party requesting an interpretation of whether the PI Director's determination of where the front lot 1204 W. 9 th Street (Case Number PR-2011-001! The relevant sections of the Land Development for a through lot), Section 25-2-515 (Rear Yard (Average Front Yard Setback) of Subchapter FBOARD'S DECISION: Board Member Heidi Goel Clarke Hammond second on a 2-4 vote (Board Member Heidissa Hawthorne nay). The public hearing was closed.	anning and Development Department t line was established on a through lot at 967) in order to utilize set back averaging. nt Code are 25-1-21(40)(c) {Front Lot Line d of a Through Lot) and Section 2.3(B)(3) bel motion to Deny standing, Board Member mbers, Jeff Jack, Nora Salings, Bryan King
Grant appeal and reverse the decision of the depart 5-1 vote (Board member Clarke Hammond nay); A vote 5-1.	tment. Board Member Bryan King second on a
FINDING:	
 There is a reasonable doubt of difference of integulations or map in that: 	terpretation as to the specific intent of the
An appeal of use provisions could clearly perm enumerated for the various zones and with the	nit a use which is in character with the uses e objectives of the zone in question because:
3. The interpretation will not grant a special privile properties or uses similarly situated in that:	ege to one property inconsistent with other
Milalleller	Dlana Kuma for
Susan Walker	Leane Heldenfels

Chairman

Executive Liaison

(15.2011-0032



To:

Ms. Leane Heldenfels, Chair and

Members of the Board of Adjustment

From:

John M. McDonald, Planner Principal

Planning and Development Review Department

Date:

March 8, 2011

Re:

An Administrative Appeal Request

Case No. C15-2011-0022.

Property Address: 1204 W. 9th Street

Mr. David Bole (the "Appellant") has filed an administrative appeal, requesting an interpretation of whether the Planning and Development Review Department Director's determination of where the front lot line was located at 1204 W. 9th Street to establish setback averaging for a proposed addition to the existing single-family residence.

The subject property is located at 1204 W. 9th Street and zoned MF-4-NP (Multifamily Residence Moderate – High Density). The subject property has street frontage on three sides and is a through lot. The subject property is bounded by W. 9th Street to the south, Shelley Avenue to the east and W. 9^{1/2} Street to the north. The proposed application is for an addition to a single-family residence. As a part of the application the designer chose to do setback averaging under Section 2.3(B) of Subchapter F (Residential Design and Compatibility Standards).

In order to pursue setback averaging a front lot line must be established for the subject property. The front lot line was established immediately adjacent to W. 9^{1/2} Street under section 25-1-21(40)(c) the definition of a front lot line on a through lot. Section 25-1-21-(40) outlines how front lot lines are established for different types of lots as follows:

§ 25-1-21 DEFINITIONS.

- (40) FRONT LOT LINE means:
 - (a) for an interior lot, the lot line abutting the street;
- (b) for a corner lot, the lot line designated as the front lot line by a subdivision or parcel map, or, if none, the shorter lot line abutting a street;
- (c) for a through lot, the lot line abutting the street that provides the primary access to the lot; and

(d) for a flag lot, the lot line designated as the front lot line by a subdivision or parcel map, or if none, the line determined by the building official to be the front lot line.

Under Section 25-2-515 (Rear yard of Through Lot) it states the rear yard must comply with the minimum requirements applicable to the front yard. Once the front lot line was established along W. 9^{1/2} Street, the rear lot line became W. 9th Street. Initially, the setback averaging was done incorrectly and the project was put into a "Revision Required" status. The setback averaging was recalculated to include the four properties on the same side of W. 9^{1/2} Street and re-measured to the exterior façade of each structure (see Exhibit A), which established the setback of 11.45 feet. The proposed addition to the single family residence is 12.5 feet from W. 9^{1/2} Street and the existing structure has not been modified to be any closer to W. 9th Street.

FINDINGS

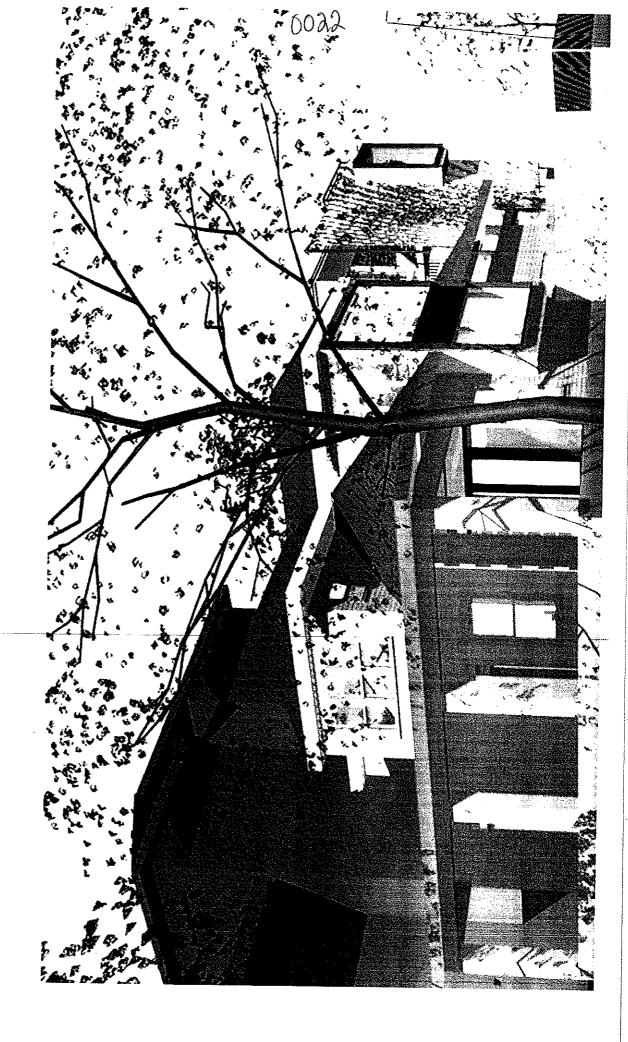
Staff does not believe there is reasonable doubt or difference of interpretation as to the specific intent of the regulations, because: 1) in order to pursue setback averaging, the front lot line must be established under Section 25-1-21(40)(c) for a through lot, 2) the intent of the words "primary access" are referring to vehicular access and 3.) the address of a property has no bearing on determining the front lot line.

Staff believes the use provisions clearly permit the use which is in character with the uses enumerated for the various zones and with the objective of the zone in question because the site is being developed with a single-family use. All site development regulations (SF-3 site development standards are applicable) for a single family residential use in a MF-4-NP zoning district have been met and the site complies with the residential design and compatibility (McMansion) standards.

The interpretation will not grant a special privilege to one property inconsistent with other properties or uses similarly situated; in that, an address of a property has no bearing on where the front lot line is established on any property and primary access has been consistently interpreted as vehicular access to the right-of-way (see Exhibit B).

If you have any questions, please contact me at 974-2728 or by e-mail at john.mcdonald@ci.austin.tx.us .

cc: Greg Guernsey, Director, PDRD
Brent Lloyd, Law Department
Donald Birkner, Assistant Director, PDRD
Kathy Haught, Division Manager, PDRD
Susan Walker, Planner Senior, PDRD



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EXHIBIT B

25-1 General Requirements and Procedures ("primary access) Definitions

- (40) FRONT LOT LINE means:
 - (a) for an interior lot, the lot line abutting the street;
- (b) for a corner lot, the lot line designated as the front lot line by a subdivision or parcel map, or, if none, the shorter lot line abutting a street;
- (c) for a through lot, the lot line abutting the street that provides the primary access to the lot; and
- (d) for a flag lot, the lot line designated as the front lot line by a subdivision or parcel map, or if none, the line determined by the building official to be the front lot line.

25-2 Zoning ("primary access")

§ 25-2-584 WAREHOUSE/LIMITED OFFICE (W/LO) DISTRICT REGULATIONS.

- (A) This section applies in a warehouse/limited office (W/LO) district.
- (B) The building must include an office use. The minimum floor area for the office use is the lesser of:
 - (1) 20 percent; or
 - (2) 1,000 square feet.
- (C) A truck loading dock may not be located on the same building face as an office entrance.
 - (D) An office use must face the street that provides primary access.

25-2 Zoning ("access")

§ 25-2-762 SITE ACCESS

(A) Vehicular access to a site from a public street that runs east and west is limited to one curb cut for each 140 feet of street frontage.

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- (B) Vehicular access to a site from a public street that runs north and south is limited to two curb cuts.
- (C) Vehicular access to a corner lot must be from a public street or alley that runs north and south.
- (D) A site with access to an alley must use the alley or a parking structure for service and delivery access.
- (E) A site that does not have access to an alley must provide a service and delivery area that is at least 30 feet deep, measured from the front setback line or side setback line, as applicable.
- (F) A driveway turn radius may not exceed 15 feet unless the Fire Chief determines that a larger radius is required because of a fire safety issue.
- (G) The director of the Watershed Protection and Development Review Department may waive or modify a requirement of this section if the director determines that the waiver or modification is necessary for adequate traffic circulation or public safety.

Source: Ord. 040902-58; Ord. 20080925-039.

25-3 Traditional Neighborhood District ("access")

§ 25-3-82 VEHICULAR ACCESS

- (A) Direct vehicular access from a lot to an alley in the traditional neighborhood district is permitted and preferred. Direct vehicular access from a lot to a street is not permitted, except as provided in this section.
 - (B) Exceptions.
- (1) Direct vehicular access from a lot to a street is permitted in a Neighborhood Edge Area or if a lot does not abut an alley.
- (2) The director may grant vehicular access from a lot to a street if the director determines it is warranted by exceptional circumstances.
- (C) If adjacent lots have direct vehicular access to a street, the director may require that the access be through a common or joint driveway.

Source: Section 13-9-52; Ord. 990225-70; Ord. 031211-11.

25-4 Subdivision ("access")

§ 25-4-171 ACCESS TO LOTS.

- (A) Each lot in a subdivision shall abut a dedicated public street.
- (B) Chapter <u>25-6</u>, <u>Article 6</u> (<u>Access</u> to Major Roadways And In Certain Watersheds) governs access to a lot:
- (1) on a roadway designated as a major arterial, freeway, parkway, or expressway in the transportation plan or in a roadway plan approved by the appropriate county; or
 - on a Hill Country Roadway.

Source: Section 13-2-424; Ord. 990225-70; Ord. 030306-48A; Ord. 031211-11.

 \square § 25-4-172 THROUGH LOTS IN A SINGLE-FAMILY SUBDIVISION.

A through lot in a single-family residential subdivision is permitted if access to one of the abutting streets is prohibited. If one of the streets abutting a through lot is an arterial, access to the arterial is prohibited unless the director determines that topography or property size justify access to the arterial.

Source: Section 13-2-431; Ord. 990225-70; Ord. 031211-11.

§ 25-4-174 LOT SIZE.

- (A) In the zoning jurisdiction, the site development regulations for the zoning district in which a lot is located determine minimum lot area and minimum lot width.
 - (B) In the extraterritorial jurisdiction, residential lot requirements are as follows:
 - (1) minimum lot area is:
- (a) in a subdivision served by a public wastewater system or central wastewater disposal unit:
 - (i) 5,750 square feet; or
 - (ii) 6,900 square feet for a corner lot; or
- (b) in a subdivision with private on-site sewage facilities, as determined by Texas Administrative Code Title 30, Chapter 285 (On-Site Sewage Facilities);
 - (2) minimum lot width is:

- (a) 50 feet for an interior lot;
- (b) 60 feet for a corner lot; or
- (c) 33 feet for a lot on a cul-de-sac or curved street; and
- (3) minimum lot frontage, including a flag lot, is:
 - (a) 20 feet; or
 - (b) if a culvert is required for a driveway approach, 30 feet.
- (C) The director may reduce the minimum lot frontage prescribed by Subsection (B) if the director determines that access to the lot is restricted to a joint use driveway.

Source: Section 13-2-433; Ord. 990225-70; Ord. 030306-48A; Ord. 031211-11.

§ 25-4-232 SMALL LOT SUBDIVISIONS.

- (A) This section applies to a subdivision with small lots.
- (B) A small lot subdivision may not be approved unless service is available to each lot in the subdivision from public water and centralized sewer systems.
 - (C) A small lot subdivision must comply with the following requirements:
 - (1) Minimum lot area is:
 - (a) 3,600 square feet, except for a corner lot; and
 - (b) 4,500 square feet for a corner lot.
 - (2) Minimum lot width is:
- (a) 40 feet for an interior lot, or 35 feet if access to the lot is provided by a joint access driveway at the front of the lot or by a paved alley or paved private access easement at the rear of the lot;
- (b) 50 feet for a corner lot, or 45 feet if access to the lot is provided by a joint access driveway at the front of the lot or by a paved alley or paved private access easement at the rear of the lot; and
- (c) 40 feet for a lot on a cul-de-sac or curved street, except it may be 33 feet at the front lot line.
- (3) Minimum front yard setback is 15 feet.

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- (4) Minimum street side yard setback is ten feet.
- (5) A lot may have one zero lot line.
- (6) The combined side yard setbacks of a lot may be not less than seven feet.
- (7) Except for a patio or patio cover, the minimum distance between structures on adjoining lots is seven feet. The minimum distance between a patio or patio cover and the roof line of a structure on an adjoining lot is six feet.
- (8) The wall of a structure built adjacent to a zero lot line or within three feet of a common side lot line must be solid and opaque and may not contain an opening.
 - (9) Minimum rear yard setback is five feet, excluding drainage easements.
- (10) Minimum setback is ten feet between a rear access easement and a building or fence.
 - (11) Maximum building coverage is 55 percent.
 - (12) Maximum impervious cover is 65 percent.
 - (13) Maximum building height is 35 feet.
 - (14) A lot may have not more than one dwelling unit.
 - (15) Two off-street parking spaces are required for each dwelling unit.
 - (16) A maintenance easement is required in the dominant side yard of a lot.
 - (17) A use easement is required in the subordinate side yard of a lot.
- (18) A lot that is less than 50 feet wide and that fronts on a collector street must have a paved alley or paved private access easement along the rear property line.
- (19) Minimum pavement width of a private access easement is 25 feet. In the extraterritorial jurisdiction, the minimum pavement width is 25 feet or the width required by the county, whichever is greater.
 - (20) A lot may not front on an arterial street.
 - (21) Underground utility service to all lots is required.
- (22) Maintenance of a common area or access easement is the responsibility of the adjoining property owner or the homeowners' association, in accordance with the required Declaration of Covenants, Easements, and Restrictions.

- (D) The director may not record a plat of a small lot subdivision unless a Declaration of Covenants, Easements, and Restrictions or similar document has been approved by the city attorney, recorded, and referenced on the plat. The document must contain the following:
- (1) a statement that the subdivision is developed under this section and incorporating the requirements of this section by reference;
- (2) a description of the requirements of Subsections (C)(1) through (14) and an imposition of those requirements as a restriction running with the land; and
 - (3) a restriction of the use of the property to:
 - (a) one-family dwellings except mobile homes;
 - (b) accessory uses permitted in an SF-3 district;
- (c) parks, playgrounds, open space, and common areas providing recreational amenities to the subdivision; and
 - (d) growing agricultural crops;
- (4) provisions for the maintenance easements and use easements required by this section; and
- (5) provisions obligating the adjoining property owner or the homeowners' association to maintain common areas and access easements.

Source: Section 13-2-435; Ord. 990225-70; Ord. 000511-109; Ord. 030731-53; Ord. 031211-11

25-8 Environmental ("primary access")

§ 25-8-301 CONSTRUCTION OF A ROADWAY OR DRIVEWAY.

- (A) A person may not construct a roadway or driveway on a slope with a gradient of more than 15 percent unless the construction is necessary to provide primary access to:
 - (1) at least two contiguous acres with a gradient of 15 percent or less; or
 - (2) building sites for at least five residential units.

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25-6 Transportation

§ 25-6-381 MINIMUM FRONTAGE FOR ACCESS

- (A) In this section, "major roadway" means a roadway that is designated as a major arterial, expressway, parkway, or freeway in the transportation plan or in a roadway plan approved by the appropriate county.
- (B) Except as provided in Subsections (C) and (D), a subdivision plat or a site plan may not provide for direct access from a lot to a major roadway unless the lot contains 200 feet or more of frontage on the major roadway and alternative access is not available.
- (C) The director shall permit access to a major roadway from a property with less than 200 feet of frontage on a major roadway if the property is subject to right-of-way condemnation and if:
- (1) the property possessed more than 200 feet of frontage on the roadway before condemnation;
 - (2) the proposed driveway is not located in a controlled access area;
- (3) the proposed driveway is the lesser of 100 feet or 60 percent of the frontage from the intersection; and
 - (4) the city manager determines that the driveway does not create a public safety hazard.
- (D) If direct access to a major roadway is not authorized under Subsection (B) and alternative access is not available, the director shall permit one driveway approach from the property to a major roadway.
- (E) The director may require joint access to a major roadway for adjoining lots that have insufficient frontage to allow a driveway approach for each lot under the requirements of the Transportation Criteria Manual.

Source: Section 13-5-84 (a), (b), and (c); Ord. 990225-70; Ord. 010329-18; Ord. 010607-50; Ord. 030306-48A; Ord. 031211-11; Ord. 20060504-039.

§ 25-6-382 PROPERTY SUBJECT TO CONDEMNATION.

On the request of a condemning authority or property owner before acquisition of a right-of-way occurs, the city manager may modify the access requirements of this division and the Transportation Criteria Manual for a property that is subject to right-of-way condemnation if the modification does not create a public safety hazard or have an adverse effect on traffic operation.

§ 25-6-414 IMPROVEMENTS TO INTERSECTIONS.

- (A) The director may require an improvement at the intersection of a hill country roadway with another street if the results of a traffic impact analysis indicate that an improvement is necessary.
- (B) The director may approve the construction of a grade-separated interchange on a hill country roadway that provides access for a single development if:
- (1) the interchange is located at the intersection of a hill country roadway and an arterial street; or
- (2) the location of the interchange provides spacing for weaving maneuvers at ramps. Source: Section 13-5-85(g); Ord. 990225-70; Ord. 031211-11.

§ 25-6-415 ACCESS FROM A SITE.

- (A) A maximum of two access points is permitted from any one site to a hill country roadway.
 - (B) The director may prohibit access to a hill country roadway from:
 - (1) a tract that has access to a street that intersects with a hill country roadway; or
- (2) a tract that has frontage on a hill country roadway and that has access to a hill country roadway through an existing joint-use access easement or driveway.
- (C) If access to a hill country roadway from a site described in Subsection (B) is permitted, the director shall limit access to one driveway unless:
- (1) the estimated daily traffic volume for the single driveway exceeds 5,000 vehicles per day;
- (2) the traffic using the single driveway would exceed the capacity of an intersection controlled by a stop sign during one peak street traffic hour or the peak site traffic hour; or
- (3) based on the results of a traffic impact analysis, the director determines that an additional driveway is necessary because of traffic conditions.

Source: Section 13-5-85(b); Ord. 990225-70; Ord. 031211-11.

§ 25-6-416 REQUIREMENTS FOR DRIVEWAYS.

(A) The maximum practical spacing between driveways along a hill country roadway must be provided.

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- (B) Unless otherwise approved by the director, a driveway providing access to a hill country roadway:
- (1) must be at least 300 feet from the nearest driveway unless the driveway provides the only access available for a tract of land;
 - (2) must have a sight distance of at least 550 feet;
 - (3) may not be on the inside radius of a curve; or
- (4) may not access a portion of a hill country roadway that has a grade of eight percent or more.

Source: Section 13-5-85(c); Ord. 990225-70; Ord. 031211-11.

§ 25-6-417 JOINT-USE DRIVEWAYS.

- (A) In this division, a joint-use driveway means a driveway located entirely or partially on a tract of land that is available for use by an adjoining tract of land as ingress and egress to a public street.
- (B) The director may require an applicant for site plan approval to provide an easement for a joint-use driveway across the applicant's tract generally parallel with the right-of-way of a hill country roadway for the use of an adjacent property owner that has insufficient frontage for access.
- (C) Access to a hill country roadway through a joint-use driveway is not permitted for a tract that does not have frontage on a hill country roadway unless approved by the director.

Source: Section 13-5-85(d); Ord. 990225-70; Ord. 031211-11.

§ 25-6-419 EXCLUDING IMPERVIOUS COVER OF A JOINT-USE DRIVEWAY.

- (A) A calculation of the allowable impervious cover on a site on which a joint use driveway required under this division is located shall exclude:
- (1) 110 percent of impervious cover that is required for the sole purpose of providing access from adjoining land to a joint-use driveway located entirely on the site; and
- (2) 50 percent of impervious cover that is required to provide a joint-use driveway if a portion of the driveway is not located on the adjoining land.
- (B) The impervious cover excluded from the calculation of impervious cover on a site under Subsection (A) does not include impervious cover that serves as a parking space or an aisle serving a parking space.

Source: Section 13-5-85(e); Ord. 990225-70; Ord. 031211-11.

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§ 25-6-442 ACCESS STANDARDS.

- (A) A lot must be reasonably accessible by vehicle from a roadway to a building site.
- (B) A driveway grade may not exceed 14 percent unless:
- (1) the portion of the grade that exceeds 14 percent is a travel distance of at least 25 feet from the nearest right-of-way boundary; and
- (2) the Watershed Protection and Development Review Department has approved the surface and geometric design proposals.

Source: Section 13-5-86(b); Ord. 990225-70; Ord. 010329-18; Ord. 010607-50; Ord. 031211-11; Ord. 20060504-039.

Division 4. Joint-use Driveways.

§ 25-6-451 JOINT-USE DRIVEWAYS.

- (A) In this division, JOINT-USE DRIVEWAY means a driveway located entirely or partially on a tract of land that is available for use by an adjoining tract of land as ingress or egress to a public street.
- (B) Vehicular access to a tract of land through a joint-use driveway is permitted as an alternative to direct access to an abutting public or private street.
- (C) A joint-use driveway used as alternative access for a single-family residential use may serve not more than eight dwelling units.

Source: Ord. 030306-48A; Ord. 031211-11.

§ 25-6-476 PARKING FOR MIXED USE DEVELOPMENTS.

- (A) This section applies to parking for motor vehicles and bicycles.
- (B) A person may request an adjustment to the parking requirement for separate uses located on one site or for separate uses located on adjoining or nearby sites and served by a common parking facility.
- (C) To apply for an adjustment under this section, an applicant must submit to the director a site plan and transportation engineering report addressing the following:
- (1) the characteristics of each use and the differences in projected peak parking demand, including days or hours of operation;
- (2) potential reduction in vehicle movements resulting from the multi-purpose use of the parking facility by employees, customers, or residents of the uses served;

(3) potential improvements in parking facility design, circulation, and access resulting from a joint parking facility; and

§ 25-6-501 OFF-SITE PARKING ALLOWED.

- (A) As part of the site plan review process, the director may approve the location of all or a portion of the required or excess parking for a use on a site other than the site on which the use is located if:
- (1) both the primary use and accessory parking are located in a general office (GO) or less restrictive zoning district;
- (2) the primary use is a bed and breakfast residential use and the accessory parking is located in a general office (GO) or less restrictive zoning district; or
 - (3) the off-site parking involves shared off-street parking between the following uses:
- (a) a religious assembly use and an existing public primary or secondary educational facility; or
- (b) two or more religious assembly uses that do not conduct services on the same day.
- (B) Landscaping required by Section <u>25-6-563</u> (Screening) is not required for a site plan filed solely for approval of shared or off-site parking on an existing parking lot.
- (C) An off-site parking facility and the use that it serves may not be not more than 1,000 feet apart, measured from the nearest off-site parking space to the nearest public entrance of the use that the parking facility serves. The distance measured:
- (1) assumes that between adjacent intersections with traffic control signals, pedestrians cross at a marked crosswalk; and
- (2) does not cross private property unless access is authorized by the affected property owner.
- (D) If the parking allowed under this division exceeds the maximum parking capacity allowed under this article for a use located in the central business district (CBD) or a downtown mixed use (DMU) zoning district, the standard parking requirement controls unless:
- (1) the off-site parking is located in a district other than the CBD or a DMU zoning district; or
 - (2) the Land Use Commission approves the excess parking based on a finding that:
- (a) the excess parking does not discourage mobility and accessibility by transit or the construction of appropriately located public parking facilities;

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- (b) the excess parking is compatible with a historic district or structure; and
- (c) the access to the parking facility does not intrude on a pedestrian-oriented street frontage.

§ 25-6-502 APPLICATION AND APPROVAL.

- (A) A person requesting an off-site parking facility must file a written application with the director. The application must include:
- (1) a description of the location and number of existing and proposed off-site parking and loading spaces;
 - (2) a calculation of applicable minimum requirements;
- (3) proof of ownership of the proposed off-site parking facility or a lease agreement between the owner of the proposed off-site parking facility and the owner of the use; and
- (4) if a site plan is required for approval of off-site parking, a site plan indicating the location of the primary use and the off-site parking and the property address and legal description of both sites.
- (B) An off-site parking facility agreement must include a provision that modification or termination of the agreement is not effective until notice has been given to the City.
- (C) In determining whether to approve an application for off-site parking, the director may consider relevant factors, including:
 - (1) the location of the use and of the proposed off-site parking;
 - (2) the existing and potential parking demand created by other uses in the area;
- (3) the characteristics of each use, including employee and customer parking demand, times of operation, and the projected convenience and frequency of the use of the off-site parking;
- (4) safety, adequacy, and convenience of pedestrian access between the off-site parking and the use;
 - (5) traffic patterns on an adjacent street and proposed access to the off-site parking; and
 - (6) the impact of off-site parking on nearby property:
 - (a) in an urban family residence (SF-5) or more restrictive zoning district; or
 - (b) on which a use permitted in an SF-5 or more restrictive zoning district is located.

Source: Section 13-5-99 (a), (c), and (d); Ord. 990225-70; Ord. 031211-11.

 \S 25-6-591 PARKING PROVISIONS FOR DEVELOPMENT IN THE CENTRAL BUSINESS DISTRICT (CBD) AND A DOWNTOWN MIXED USE (DMU) ZONING DISTRICT.

- (A) In a central business district (CBD) or downtown mixed use (DMU) zoning district:
- (1) off-street parking is not required for a use occupying a designated historic landmark or located in an existing building in a designated historic district;
- (2) off-street parking is not required for a use occupying less than 6,000 square feet of floor space in a structure that existed on April 7, 1997;
- (3) except as provided in Subsections (A)(4) and (B), the minimum parking facility requirement is 20 percent of the number of parking spaces required by <u>Appendix A</u> (Tables Of Off-Street Parking And Loading Requirements) and the maximum parking facility requirement is 60 percent of the number of parking spaces required by <u>Appendix A</u> (Tables Of Off-Street Parking And Loading Requirements); and
- (4) a parking facility for a residential use must provide at least 60 percent of the number of parking spaces required by <u>Appendix A</u> (Tables Of Off-Street Parking And Loading Requirements);
- (5) except as provided in Subsections (C) and (D), a parking garage must be separated from an adjacent street by a pedestrian-oriented use described in Section <u>25-2-691</u> (Waterfront Overlay (WO) District Uses) that fronts on the street at the ground level;
 - (6) a curb cut for a garage access must have a width of 30 feet or less; and
- (7) at the intersection of sidewalk and parking access lane, ten degree cones of vision are required.
 - (B) The number of parking spaces allowed under Subsection (A)(3) may be increased:
 - (1) by the director if all parking spaces are contained in a parking structure; or
- (2) by the Land Use Commission if the criteria in Section <u>25-6-501(D)</u> (Off-Site Parking Allowed) are satisfied.
- (C) The Land Use Commission may waive the requirement of Subsection (A)(5) during the site plan review process after determining that:
- (1) present and anticipated development in the area is not amenable to access by pedestrians;

<u>ö</u> Ms. Susan Walker (Appeal Contact Person – City of Austin) Mr. Greg Guernsey (Director, Planning & Development Review Dept – City of Austin) City of Austin Board of Adjustment

Re: Case Number C15-2011-022 -- 1204 W. 9th Street

l am in favor of the permitted development at 1204 West 9th Street.

Transfer of the second				
Name (printed)	Date	Signature	Phone	Address
Jim Person	3/6/11		512-474-4744	1207 W 9th St
David Wolff	3/6/11		512-328-4031	1206 W 8th St
Leslie Wolff	3/6/11		512-328-4031	1206 W 8th St
Marjorie Moore	3/6/11		512 917 6378	1309 W 9 th 1/ ₂ St
Steven Moore	3/6/11		512-334-1013	1309 W 9 th 1/ ₂ St
Corbin Richards	3/7/11		210.860.8375	909 Shelley 78703
Tim Morgan	3/8/11		512 472 6194	1211 W 9 th Austin TX
Kay Hart	3/12/11		477-4306	1403 W 9th
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C15-2011-0022

From:

E T Smith [ets@smithhq.net]

Sent:

Monday, March 14, 2011 10:30 AM

To:

Walker, Susan

Cc:

Guernsey, Grea

Subject:

Re: Case Number: C15-2011-022; question about attendees of the appeal at Board of Adjustment

Importance:

Attachments: Neighbor Signatures March 2011.pdf; ATT5786958.htm; Signature of Support Form (Transcribed).docx:

ATT5786959.htm

Also, Susan, could I get your help on these other items as well:

• Please find attached a list of folks who are in favor of the project (in favor of owner), along with a transcribed list. Not all of these folks will have sent in a City form. Please include this in the list of supporters you're keeping and will, presumably, report to the Board this evening.

• I have spoken to many neighbors and other interested parties and many have told me that they will be sending in emails, appeal "for or against" forms and the like to you and the BOA regarding this case. I wonder if you can

confirm for me which "fors" and "againsts" you've received.

• It seems that many were confused about whether marking "for" was in favor of the appeal or in favor of our project? So, a simple count of which box was checked may not tell the full story. Can you clarify how the City is defining "for" in this case (for the appellant or for the permitted project)? Also, you may want to be very clear with folks as they arrive and sign up this evening.

Finally, if I am to present at the hearing (I assume you'll have projectors available), am I required to submit my

presentation early for pre-reading? Is it recommended?

Mr. Greg Guernsey (Director, Planning & Development Review Dept – City of Austin) Ms. Susan Walker (Appeal Contact Person – City of Austin) City of Austin Board of Adjustment ö

Re: Case Number C15-2011-022 -- 1204 W. 9th Street

I am in favor of the permitted development at 1204 West 9th Street.

Name (printed)	Date	Signature	Phone	Address	
KERSON	3/4/11	the tenon	572-474-4744	1207 41 974 57	
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Marjorie Moore	3/6/11	Markey Mask	4287416 C19	1896 573 9176374 13/19 9112 CX	
SCHALL ANDORF	3 5	A Tolora Margala	19.234.60		
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M Morgan	3//8///	Jane Marie	K/2 472 (192		
AV KARL	21.7	7	7 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7	-	
			0.87	1	
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C15.2011-0022 Ramirez, Diana

From:

Guernsey, Greg

Sent: To:

Monday, March 14, 2011 8:28 AM Ramirez, Diana; Walker, Susan

Cc:

McDonald, John

Subject:

FW: Appeal at 1204 W 9th St

----Original Message----

From: Syd Sharples [mailto:syds@austin.rr.com]

Sent: Monday, March 14, 2011 8:04 AM

To: Guernsey, Greg Cc: ets@smithhq.net

Subject: Appeal at 1204 W 9th St

Hi Greg,

I'm writing in support of the permit as issued by the City for 1204 W 9th St. I live at 1114 W 9th St in a historic property in the Silliman Subdivision and think the neighborhood would be at risk of being compromised by undesired development if this project didn't go forward as planned and approved. Thanks for your consideration.

Syd Sharples

(15-2011-0072

From: Sent: Syd Sharples [syds@austin.rr.com] Monday, March 14, 2011 8:04 AM

To: Cc: Walker, Susan ets@smithhq.net

Subject:

Appeal on 1204 W 9th

Hi Susan,

I'm writing in support of the permit as issued by the City for 1204 W 9th St. I live at 1114 W 9th St in a historic property in the Silliman Subdivision and think the neighborhood would be at risk of being compromised by undesired development if this project didn't go forward as planned and approved. Thanks for your consideration.

Syd Sharples

U5-2011-0022

From:

Maureen Metteauer [msirhal@yahoo.com]

Sent:

Sunday, March 13, 2011 2:38 PM

To:

leane_heldenfels@sbcglobal.net; Clarke.Hammond@gmail.com; heidigoebel@sbcglobal.net; mwh@austin.rr.com;

jjack2@austin.rr.com; bryan@bkradio.net; nora_salinas@yahoo.com; pdi@grandecom.net

Cc:

greg.gurnsey@ci.austin.tx.us; Walker, Susan

Subject: C15-2011-0022 - 1204 West 9th Street

March 13, 2011

To the members of the Board of Adjustment:

I wish to support the issuance of a building permit for the project at 1204 West 9th Street in Old West Austin. I would urge that you confirm the city's original ruling on the appropriate setbacks and dismiss the claim by the interested party. Mr. Smith's plan to rehabilitate the existing historic home and add a modern addition are within city code and regulation. The home is in an unique situation because it faces three public streets, and the decision to allow for front yard setback on the property facing 9 ½ street is entirely appropriate because it's the only feasible access point for vehicles.

Many of the neighbors in and around the property support the planned renovation and addition and are glad that Mr. Smith is choosing to renovate the existing century old structure. Please allow Mr. Smith to continue with his project as soon as possible. Thank you for your consideration.

Sincerely, Maureen Metteauer 602 Harthan Street Austin, TX 78703 (512) 472-7980

U5.2011-0032

From:

Linda MacNeilage [LMacNeilage@austin.rr.com]

Sent:

Thursday, March 10, 2011 9:36 AM

To:

Walker, Susan

Subject: Case Number: C15-201-0022

Re: Case Number: C15-201-0022

Dear Ms. Walker:

While my husband and I do not own property within 500 feet of 1204 West 9th Street we are very concerned about preserving the character and quality of housing within our neighborhood. We are contacting you to let you know of our support for the owner of that property, Eric Smith. We believe that Mr. Smith has taken all the necessary steps to obtain City approval for his plans to refurbish the house, previously owned by his grandmother a single-family house which dates from the historic period. Being involved in the establishment of Local Historic Districts, we are very aware of the importance of Design Standards. These standards recognize that historic properties cannot realistically be preserved exactly as built, and provisions need to allow for properties from the historic period to have additions, and to allow for their modernization. We believe it is to the benefit of the neighborhood to support his plans to refurbish this house for single-family use, and allow for his plans to add on a rear addition. His plans have already been determined by a City inspector to fall within City codes. The fact that Mr. Smith's property is adjacent to Shelley Park Flats, a huge modern condominium complex, should remind us that Mr. Smith's plan to restore and renovate an existing single-family dwelling is a far more preferable option for our neighborhood to the possibility of there instead being another large modern multi-family complex on that property, which has the exact zoning as Shelley Park Flats.

We can appreciate Mr. Bole, the applicant for this administrative appeal, wanting to establish where the City inspectors determined the location of the 9th Street lot line, in order to establish the City's use of set back averaging on the 9 and 1/2 Street side of Mr. Smith's through lot. And while we understand that the language of the City code about set-backs for through lots may be complicated, we believe there are times when it is important to not spend time nit-picking, and to let common sense prevail. This, to us, is one of those times. We are very much in support of Mr. Smith's plans to refurbish and modernize this single -family house, and we encourage you to allow him to continue with his project.

Thank you for consideration of this matter.

Linda MacNeilage

C15-2011-0022

From:

Laura Porcaro [lauraporcaro@mac.com]

Sent:

Friday, March 11, 2011 10:07 AM

To:

Walker, Susan

Cc:

Larry Halford

Subject: C15-2011-0022 - BOA Hearing Monday night

Hi Susan,

Just wanted to express our views on 1204 W. 9th Street. After meeting with the applicant, David Bole and the owner, Eric Smith, the neighborhood association will remain neutral on this appeal as we are more interested in closure between two nearby neighbors. This is a very complicated exercise and we would hope this issue does not extend past Monday night.

OWANA's position on the appeal is to defer to the Board of Adjustment for final interpretation on the rules to the questions that have risen regarding appropriateness of the code and final release of Mr. Smith's building permit. We are not in favor nor will we oppose this appeal.

Thank you.

Regards,

Laura Porcaro OWANA ZONING/LAND USE COMMITTEE 704 Highland Avenue Austin, TX 78703 512-809-8505 lauraporcaro@mac.com

C15/2011-0022

Walker, Susan

From:

Guernsey, Greg

Sent:

Monday, March 14, 2011 8:28 AM

To:

Ramirez, Diana; Walker, Susan

Cc:

McDonald, John

Subject:

FW. Appeal at 1204 W 9th St

----Original Message-----

From: Syd Sharples [mailto:syds@austin.rr.com]

Sent: Monday, March 14, 2011 8:04 AM

To: Guernsey, Greg Cc: ets@smithhq.net

Subject: Appeal at 1204 W 9th St

Hi Greg,

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Syd Sharples

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 the subject property or proposed development.

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For additional information on the City of Austin's land development process, visit our web site: www.ci.austin.tx.us/development.

contact person listed on the notice) before or at a public hearing. Your comments should include the name of the board or commission, or Council; the scheduled date of the public hearing; the Case Number; and the contact person listed on the notice.
Case Number: C13-2011-0022 - 1204 W. 9 Street Contact: Susan Walker, 512-974-2202 Public Hearing: Board of Adjustment, March 14th, 2011
Tim PEISS on Your Name (please print)
pplication 3/8/
Daytime Telephone: 572 — 474-4744
Comments: I have Acress The STREET From The Hone In Chrostion. I Am In Franch OF The ReDoundance! OF THIS PROPERTY AS ADDITION.
If you use this form to comment, it may be returned to: City of Austin-Planning & Development Review Department/ 1st Floor Susan Walker P. O. Box 1088 Austin, TX 78767-1088

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Case Number: C15-2011-0022 – 1204 W. 9 th Street Contact: Susan Walker, 512-974-2202 Public Hearing: Board of Adjustment March 14th 2011
JJIOM DE
1306 W. 8th Street
Your address(es) affected by this application
Davtime Telephone: 51 2 / 4/6 4-2207
very much the
Will St a be wast to the resolution of.
If you use this form to comment, it may be returned to:
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Case Number: C15-2011-0022 – 1204 W. 9 th Street Contact: Susan Walker, 512-974-2202
Public Hearing: Board of Adjustment, March 14th, 2011
Dow & Henry Steen
Your Name (please print)
Your address(es) affected by this antillecation
Allerica Dynns uppr
Signature Date
Daytime Telephone: 1 +7b-4688
Comments. We support Ericy andy's
proposed designed. It maintains
the integrity of the old house
at 1204 W 9th and makes
of the property so as to enhance
the neighborhood. The only
practical access to the house 15
I fram WP/2 St. It does not
interfere us any one else's use.
If you use this form to comment, it may be returned to:
City of Ausun-Flanming & Development Review Department/ 1st Floor Susan Walker
P. O. Box 1088 Austin TX 78767 1088

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<u>U5-2011-D02</u> 2

Walker, Susan

From:

Sarah Spreitzer McCalla [sarahsmccalla@gmail.com]

Sent: Tuesday, March 08, 2011 6:40 PM

To: Walker, Susan; greg.gurnsey@ci.austin.tx.us

Cc: Andrew McCalla
Subject: 1204 w. 9th Street

Dear Susan and Greg,

Please note that my husband and I, Andrew and Sarah McCalla, are in favor of the project as permitted by the City at 1204 W. 9th street on February 3, 2011. We own property in close proximity, at 1300 W. 9 1/2 Street.

Any questions, please let me know.

Sincerely, Sarah

Sarah Spreitzer McCalla 512-771-3472

3/9/2011 CVS-2011-0026
Request for Interpretation Appeal

Dear Board of Adjustments,

The real issue for me, as it has been all along, is discovering the appropriate guidelines for development of 1204 W. 9^{the} Street. I didn't set out to be in this position, nor I'm sure did the owner, applicant or city staff. However, I feel the appropriate guidelines are not being followed and I've not been able to reconcile the events and facts of this case with city staff or the applicant, so here we are.

What went wrong? I feel like the Front Lot Line was re-defined in the "11th hour" to exist on 9 ½ Street, as opposed to 9th Street where it belongs, for the express purpose of moving the rear setback line, and the rear addition, closer to 9 ½ street and allowing for more height, closer to 9 ½ Street, than would otherwise be allowed by Code if 9 ½ Street was defined as the Rear-of-a-Through-Lot, which I believe it is. I will show that Land Development Code places the Front Lot Line, Front Yard and Front Setback Line on 9th Street and the Rear Lot Line, Rear Yard and Rear Setback Line on 9 ½ Street.

Exhibit A illustrates that a balanced and reasonable application of <u>all</u> the Land Development Code places the Front Lot Line on 9th Street. This includes LDC definitions for Front Yard, Rear Yard, Rear Lot Line and Setback Planes. This placement is also consistent with the Terms of the Permit, the home address and other evidence as listed in Attachments 1, 2 & 3 (including quotes by City Staff and the Applicant that define the REAR of this lot as 9 ½ Street at the Public Hearing). This "unanimous" agreement of the Permit, LDC and other evidence, which places the Front Yard on 9th Street, means that the Rear Setback on 9 ½ Street is invalid because it was established using <u>Subchapter F 2.3- FRONT YARD SETBACK -(B)3</u>. City Staff used this provision of Subchapter F to apply set back averaging on the REAR YARD of the lot, not the FRONT YARD, as if this lot (and addition/home) faces 9 ½ Street, like other homes down the street which are not through lots.

The Code clearly instructs what to do with the REAR YARD of a lot in <u>Subchapter F, 2.4-REAR YARD</u> <u>SETBACK - The principal structure shall comply with the rear yard setback prescribed by other provisions of this Code</u>. The provisions for the REAR YARD of a through lot are found in <u>25-2-515 REAR YARD OF A THROUGH LOT - For a through lot, a rear yard must comply with the minimum requirements applicable to a front yard. The front setback on 9th Street is 25', it would seem that the rear setback on 9 1/2 Street should be 25' too. There has never been any Land Development Code cited, to me, to support how the 15' REAR set back was "established with COA on May, 2nd 2008" per the site plan included in the permit application and presented at public hearing by City Staff and the Applicant. The true setback for this lot may have been misrepresented from the start as 15' instead of the proper 25'.</u>

Exhibit B illustrates the implications of applying all the LDC code and Terms of the Permit with the understanding that the Front Lot Line, Front Yard and Front Set Back Line, "have always existed on 9½, and will continue to exist on 9½ "as stated to me by City Staff. I'm not sure the applicant/owner is prepared to redesign their project to fit within these guidelines, although I may be wrong. Either way, it seems the accurate setback on 9½ may actually be 25', not 15' or 11.5' or 7.1" (the different REAR setbacks" established with COA" at one point or another). In reality, City Staff has "temporarily" defined the Front Lot Line to be on 9½ Street in order to use setback averaging to unfairly move the addition closer to 9½ and in order to change the buildable "tent" to unfairly allow more height on 9½ Street. They now intend to allow the applicant to build using the REAR setback on 9½ as issued in the Permit, and as it was all along and will continue to be.

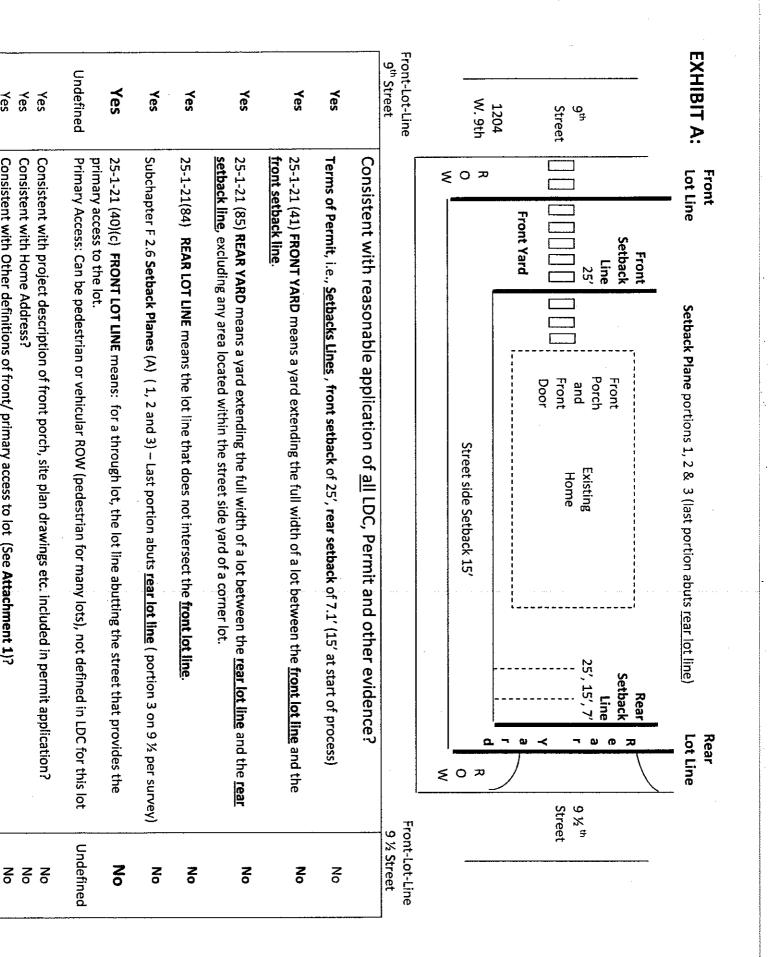
The applicant proclaimed at the public hearing that they had met with City Staff and the addition had been designed to conform to all provisions of the Land Development Code. This was with a REAR setback of 15' on 9 ½ Street and with expressed intent of designing around the protected trees on the lot. If it's been discovered through this process that this addition cannot be built within all the appropriate guidelines for this lot, then I suggest responsibility be placed where it belongs, on the applicant, to either design within the guidelines or apply for the necessary variances. It is not City Staff's responsibility to manipulate provisions of the code with the express purpose of moving the building closer to 9 ½ and allowing more height on 9 ½ so the building will "fit", without design changes or variances. This behavior short circuits another provision within the Land Development Code for how an applicant should get permission to design "outside" the guidelines of LDC, 30-1-251 APPLICATION FOR A VARIANCE. LDC exists for me and the affected neighbors, as much as it does for the Applicant (See Attachment 4—Subchapter F Intent).

City Staff will say it's within their rights to change the definition of the lot to employ another provision of the code if it's to the Applicant's benefit. However, this should be true only if the change is supported by all definitions and provisions of the LDC and the Permit, which clearly it is <u>not</u> in this case, especially if the change is a disadvantage to interested parties with 500 feet, which it clearly is in this case. City Staff will want to simply claim that "clerical mistakes" were made in scanning in the wrong site plan into the application, filling in the Permit wrong, using the wrong survey data for the tent and mis-labeling even the new site plans as the REAR on 9 1/2 even after the averaging data was submitted etc. However, there is a preponderance of evidence that suggest otherwise—that this is, has always been, and will continue to be a 9th Street FRONT lot. The City Attorney will recommend you not even consider the facts of this case because I'm not an "interested party in standing". That may or may not be true—I know I've done my best to simply verify that 1204 W. 9th Street is developed within the proper LDC guidelines and then follow proper protocol to the best of my ability when discovered otherwise (see **Attachment 3-**Timeline). Regardless, I'm being counseled that there may be some serious procedural issues with this Permit, for all the reasons stated, and its validity is in question. It seems to me the most fair and expedient course of action, for everyone involved, is to revoke this permit and start over.

I respectfully request that this board confirm that the Front Lot Line, Front Yard and Front Setback Line exist on 9th Street and the Rear Lot Line, Rear Yard and Rear Setback Line exist on 9½ Street for this lot at 1204 W. 9th Street, now and for as long as it's address and orientation clearly faces 9th Street. I further request that you instruct City Staff to use the proper provisions within LDC to determine the accurate REAR setback: 25-2-515 REAR YARD OF A THROUGH LOT. Having read the LDC myself, for what it's worth, I feel the rear setback should have been established at 25' from the start (not 15'). So, If a mistake has been made by the Applicant & City Staff initially at the Public Hearing by mis-representing the Rear setback as "established by COA" at 15' (when it was actually 25'), and then another mistake by City Staff in the "11th hour" by misapplying Subchapter F to setback average on the REAR of a through lot, that together has given the Applicant a considerable unfair advantage in setback and height (and disadvantage to others) for what is truly allowable by code for this lot, then I think it's reasonable to require the Applicant to either design within the correct provisions of the code or request the proper variances, before the addition is built.

Thank you for your consideration.

David Bole 907 Shelley Avenue, 512-217-5454.

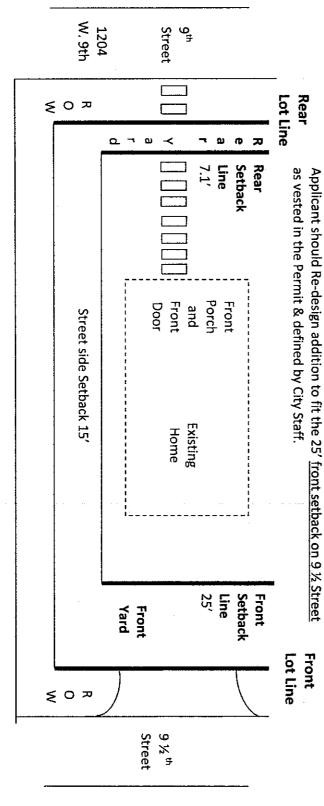


Yes Yes

Consistent with Home Address?

Consistent with Other definitions of front/ primary access to lot (See Attachment 1)?

No	Consistent with Other definitions of front/ primary access to lot (See Attachment 1)?	Yes
No	Consistent with Home Address?	Yes
No	Consistent with project description of front porch, site plan drawings etc. included in permit application?	Yes
Yes	Vested Terms of Permit, i.e., <u>Setbacks Lines</u> , rear setback of 7.1', front setback of 25'	N _o
Yes	Subchapter F 2.6 Setback Planes (A) (1, 2 and 3) – Last portion abuts rear lot line	N _o
Yes	setback line, excluding any area located within the street side yard of a corner lot. 25-1-21(84) REAR LOT LINE means the lot line that does not intersect the front lot line.	No
Yes	25-1-21 (85) REAR YARD means a yard extending the full width of a lot between the <u>rear lot line</u> and the <u>rear</u>	No
Yes	25-1-21 (41) FRONT YARD means a yard extending the full width of a lot between the front lot line and the	No
Yes	Primary Access: undefined in this case, can be either 9 th or 9 ½ Street, ignore all evidence and force to 9 1/2 25-1-21 (40)(c) FRONT LOT LINE means: for a through lot, the lot line abutting the street that provides the	N _o
	Narrowly define 9 ½ Street as Primary Access and apply <u>all</u> LDC and Terms of Permit:	



Other evidence of "FRONT" of lot at 1204 W. 9th Street:

9 th Street	9 ½ Street
Official Address: 1204 9 th Street	n/a (not requesting address change)
Primary/Main Access for the following: - Guests - Mail delivery by US Gov Parcel delivery by FedEx, UPS, etc Water services - Gas services - Power services - Phone, cable & other services - Owners, part of the time (pedestrian)	Primary Access for the following: - Owners, part of the time (vehicular) - Close friends, part of the time (maybe)
Defined as Front by following entities: Owner (HLC hearing video) Architect (HLC hearing video & Site Plan) Warranty Deed/ Deed of Trust (copy available) City Staff/HLC (HLC hearing video) National Historic Register District (Inventory log) City of Austin Address Services (Validation available) City of Austin on May 2 nd , 2008 (Site Plan) All Directories, Listings etc.	Defined as Front by following entities: - None
Represented Publically as Front to: - City Staff & HLC at Public Hearing. - Interested Parties within 500 feet at Public Hearing - OWANA & other neighbors - COA Permit Department on initial Permit Application	Represented Publically as Front to: - No one

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<u>Timeline</u> (dlb is David L. Bole)

9/17/10 – dlb receives Notice of Public Hearing NationalHistoric District Building Permit in the mail.

- Contact, Steve Sadowsky, Planning & Development Review Department. Case# NRD-2010-0107
- Site Plan has REAR setback on 9 ½ Street of 15', "established with COA May 2nd, 2008"

9/27/10 -Building Permit Public Hearing:

- Steve Sadowsky quotes, "...constructing a 3 story addition to the <u>REAR</u> of this house...the addition on the back is going to be connected through <u>the REAR dormer</u>...it is in <u>the BACK YARD</u>...recommendation is to release the building permit"
- Applicant quote, "...the main corner is Shelley & 9th Street...this <u>house is a through lot</u>...on 9th Street, this is the <u>front porch</u> of the house, this is the <u>front door</u> of the house, this is the <u>address of the house</u>...by any ones <u>evaluation</u>, this is the <u>front of the house right here</u>" (referring to the 9th Street side)" ...and what we're doing is at the back of the house."
- Applicant quote, "Our design complies...we've <u>already sat with some of the people from the City</u> on that [referring to LDC]...we're working very hard to make sure that this large post oak is preserved...what we've had to do is carefully place that addition a little bit to the North [towards 9 ½]" note: Site Plan shows 15' Rear setback on 9 1/2 at this point.
- dlb speaks informally, but only after applicant continues to insist Shelley & 9 ½ is not a prominent corner 9/30/10 –dlb Follow up in Writing
 - dlb sends an email to the entire HLC board and Steve Sadowsky in part acknowledging frustration about the Applicants comment that Shelley & 9 ½ Street (where I live) "was not a prominent corner" for the property in question

Sometime in 2010

- dlb talks with Chris Johnson in Development Assistant Office. He confirms no re-zoning or address changes have been issued for 1204 W. 9th Street. He confirms that Sec. 25-2-515 REAR YARD of a THROUGH LOT is appropriate code for this lot. He says doesn't know how 15' would have been established—can't reference any code.
- dlb decides to track the permit process to make sure public statements regarding the permit are true and up help, i.e., design is compliant with LDC, no variances, tree will be preserved etc.
- 1/05/11 Applicant signs and dates COA Residential Permit Application. Application includes site plan with <u>Rear setback</u> of 15' "established with COA May 2nd, 2008" as part of application.
- 1/07/11 Same site plan with Rear setback of 15' "established with COA" is stamped "AE APPROVED, Jan 07 2011, by JGM" in comments of ESPA says "Rear House Addition" for 1204 W. 9th Street
- 1/10/11 Permit #2011-001967 Residential Zoning Review is "Rejected" (5 attempts), Tree Ordinance Review is "Open". No contacts listed on permit for Residential Zoning Review.
- 1/27/11 dlb calls Chris Johnson and leaves message inquiring why permit was rejected. Assumes setback was discovered to be 25' and Applicant will need to redesign or request variances. No return call.
- 1/31/11 Setback averaging data on 9 ½ Street is initialed over a stamp of Greg Guernsey (although it's been marked through with magic marker) and new setback "tent" is also initialed and dated 1/31.
- 2/3/11 Permit approved still with Rear setback on 9 ½ Street but at 7.1′, not 15′, Front setback still 25′, No contact listed on permit for Residential Zoning Review (indicates 15 attempts)
- 2/7/11 dlb calls John McDonald and Tony Hernandez alerting them that LDC has been mis-applied for this permit, i.e., Front Yard setback averaging on REAR of a through lot.
- 2/8/11 dlb sends an email detailing claims and citing specific Code which supports position, including question whether the real setback should be 25′. This leads to a series of emails in which John McDonald (and the Applicant) admit that setback averaging data had been measured incorrectly. However, all City Staff defend the decision to Setback Average on 9 ½.
- 2/17/11 dlb-After much deliberation and council from several people regarding this issue, including members of the Residential Design and Compatibility Commission plus current and past COA employees, I decide to appeal the permit.

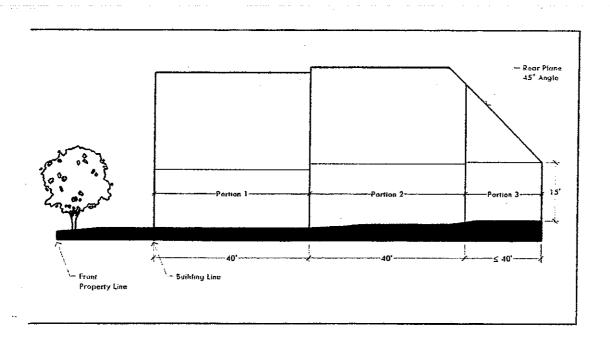
Subchapter F

1.1. INTENT.

This Subchapter is intended to minimize the impact of new construction, remodeling, and additions to existing buildings on surrounding properties in residential neighborhoods by defining an acceptable buildable area for each lot within which new development may occur. The standards are designed to protect the character of Austin's older neighborhoods by ensuring that new construction and additions are compatible in scale and bulk with existing neighborhoods.

dib "The irony is all of this is that City Staff has incorrectly employed a provision from Subchapter F. i.e. Setback Averaging on the Rear of a Through Lot, that is allowing the Applicant to build an addition with more scale, bulk and height than is otherwise allowed in other provisions of the code. And this is taking place, in the shadow of Shelley Flats, which is one of the projects that was the motivation for adding the Subchapter F provisions for our neighborhood. "

REAR Setback Plane



C15-2011-0022 ROW-10552799 TP-0110020(21

CITY OF AUSTIN APPLICATION TO BOARD OF ADJUSTMENT INTERPRETATIONS PART I: APPLICANT'S STATEMENT (Please type)

STREET ADDRESS: 1204 W. 9th Street, Austin TX

LEGAL DESCRIPTION: Subdivision —

Lewis Hancock

Lot (s) 1 Block 3 Outlot 4 Division Z

ZONING DISTRICT:

I/WE David Bole on behalf of myself/ourselves as authorized

Agent for Self affirm that on

Day of Feb. 17th , 2011 , hereby apply for an interpretation hearing before the Board of Adjustment.

Planning and Development Review Department interpretation is:

Front setback on 9th Street, rear setback on 9 ½ Street. Changed 15' rear setback to 7.1' rear setback by allowing setback averaging on the rear of a through lot at 9 ½ Street. However, Subchapter F, Article 2, 2.4 states: The principal structure shall comply with the rear yard setback prescribed by other provisions of this Code.

The "rear setback" is clearly marked in the site plan presented at public hearing and included in the Residential Permit application as residing on 9 ½ Street at 15'. The permit #02011-001967 PR was clearly approved with a rear setback of 7' on 9 ½ Street and a the buildable tent was clearly drawn with the rear zone (Portion 3) on 9 ½. (A correction in averaging data has subsequently been submitted along with new drawings, but has only been in response to my appeal. The issue is whether setback averaging is allowed on the rear of a through lot, which is what I believe is happening).

LDC Code Definitions:

FRONT YARD means a yard extending the full width of a lot between the FRONT LOT LINE and the front setback.

REAR YARD means a yard extending the full width of a lot between the REAR LOT LINE and the <u>rear setback</u>.

The "rear setback" is clearly marked in the site plan presented at public hearing and included in the Residential Permit application as residing on 9 ½ Street at 15°. The tent zone is drawn with the back of the zone (zone 3) facing 9 ½, even after setback calculations and drawing were submitted. The permit #02011-001967 PR is clearly approved with a "rear setback" of 7° on 9 ½ Street. So. per the definitions above the site plan and the permit drawings the REAR LOT LINE

must exist on 9 ½ across from the "rear setback". There were no site plans, drawings or notes to indicate that the FRONT LOT LINE exists on 9 ½. So, setback averaging was incorrectly applied at the REAR of a through lot, in this case.

I feel the correct interpretation is:

Confirm the FRONT LOT LINE is on 9th Street and confirm the REAR LOT LINE is on 9 ½ Street. Apply the correct code from LDC to determine appropriate rear setback on the rear of this through lot on 9/12.

25-2-515 Rear Yard of a Through Lot

For a through lot, a rear yard must comply with the minimum requirements applicable to a front yard.

Note: The front setback on 9th Street is 25'

NOTE: The board must determine the existence of, sufficiency of and weight of evidence supporting the findings described below. Therefore, you must complete each of the applicable findings statements as part of your application. Failure to do so may result in your application being rejected as incomplete. Please attach any additional support documents.

1. There is a reasonable doubt of difference of interpretation as to the specific intent of the regulations or map in that:

After I cited the Subchapter F code that states setback averaging is not allowed on the rear of a through lot in writing to a Planner Principal, City Staff attempted to justify setback averaging by redefining where the FRONT LOT LINE exists on the lot. City Staff then, for the first time, referred to a definition from another section of the code: FRONT LOT LINE – for a through lot, the lot line abutting the street that provides primary access to the lot.

Primary Access has different meanings in LDC. At times it clearly seems to mean "primary pedestrian access for the majority". At other times it refers to primary "right-of-way"-this lot has 3 different street "right-of-way" to choose from for Primary Access, two pedestrian and one vehicular. At no time does the LDC clearly define Primary Access as automatically defaulting to the vehicular right-of-way where owners park their car off street (in this case, at the rear of the lot on 9 ½), when there are multiple right-of-ways from which to choose. If fact, there are examples when Primary Access to lot is clearly NOT the vehicular access where the owner pulls off street (or alley) to park.

It seems arbitrary, and ambiguous at best, to try to determine the appropriate FRONT LOT LINE for this lot solely by the term "Primary Access". All other evidence indicates City Staff and the Applicant consistently considered this as a 9th Street facing lot, with the front setback on the 9th Street side and the rear setback on the 9 ½ Street side. This clearly places the FRONT LOT LINE at 9th Street.

There is an unclear meaning of Primary Accesss for this lot. Clear evidence exists that establishes 9 ½ street as the location for the "rear setback" of this lot as indicated on site plan, permit application and as defined in the approved permit itself. There is no doubt in how the lot is defined, documented and portrayed as having its REAR on 9 ½. And there is LDC Code which clearly supports this conclusion.

. It has been stated to me that the applicant is able to change their minds and use different parts of the code that may be more favorable to them. However, this change should be unambiguous and should be consistently supported in all areas of the code, especially if the change will clearly disadvantage affected parties with 500 feet. This change is not consistently supported in all areas of the code. What is at issue is the FRONT LOT LINE. The FRONT LOT LINE can be clearly established to belong on 9th Street for this lot by reasonably applying ALL definitions of City Code cited, including the definition for FRONT LOT LINE. However, to assign FRONT LOT LINE to 9½, one has to make an arbitrary judgment about what is meant by Primary Access, a judgment clearly not applied consistently nor clearly defined in LDC, while ignoring other clear evidence and other definitions of the code which clearly place the FRONT LOT LINE on 9th Street. The change in FRONT LOT LINE to 9½ does seem to allow for "front" setback averaging on 9½. However, this a an unreasonable, inconsistent application of the code being used solely to gain what I determine an unfair advantage in setback and height on 9½ Street, when there is clear evidence and clear support of LDC code that places the REAR LOT LING on 9½ and FRONT LOT LINE on 9th.

2. An appeal of use provisions could clearly permit a use which is in character with the uses enumerated for the various zones and with the objectives of the zone in question because:

An appeal of the setback average use provisions will allow the applicant To clearly development to the full parameters of the following LDC code:

25-2-515 Rear Yard of a Through Lot

The location of the Rear Yard is unambiguous on this lot both visually and as defined by COA, Owner, Applicant and others at public hearing and as defined in the Residential Permit application as being on 9 ½ Street side of the lot. There is also reasonable, fair application of ALL LDC Code that supports this determination.

3. The interpretation will grant a special privilege to one property inconsistent with other properties or uses similarly situated in that:

The CityStaff interpretation will create a special privilege to the property by allowing setback averaging on the rear of a through lot, which results a closer setback to 9 ½ than is otherwise allowed in LDC in this case. The applicant will not be required to either change the design or apply for appropriate variances as would be the case for any other applicant wanting to build closer to the REAR LOT LINE than allowed by code. Additionally, by arbitrarily defining 9 ½ Street as the location of the FRONT LOT LINE, in contradiction to clear evidence to the contrary, the applicant is using the "front" of the buildable tent as defined in Subchapter F. The

"rear" of the tent, Zone 3, requires a 45 degree angle 15' up from the rear lot line. However, the "front" of the tent goes to full height at the front lot line. So, the applicant is also not being required to either change the design or get a variance for building outside the allowable "tent" on $9 \frac{1}{2}$ (Zone 3) as would be the case for any applicant wanting to build higher than the allowable buildable tent on the rear of this through lot.

APPLICANT/AGGRIEVI	ED PARTY CERTIF	TCATE – Laffirm th	at my statements contained
in the complete application:			
Signed June	Bole	Printed	David Bole
Mailing Address	907 Shelley Ave		······································
City, State & Zip Aus	stin, TX	Phone 512-2	217-5454

Interested Party Declaration

25-1-131 INERESTED PARTY

- (A) An interested party is a person who has an interest in a matter that is the subject of a public hearing or administrative decision. A person has an interest if the person:
- (1) is the applicant or the record owner of property that is the subject of a public hearing or administrative decision; or
 - (2) communicates an interest in a matter; and occupies a primary residence that is within 500 feet of the site of the proposed development;
 - (C) A person communicates an interest in a matter that is the subject of an administrative decision by delivering a written statement to the responsible director or by making telephone contact with the responsible director. The communication must:
 - (1) generally identify the issues of concern;
 - (2) include the person's name, telephone phone number, and mailing address;
 - (3) be delivered before the earliest date on which action on the application may occur; and
 - (4) if the communication is by telephone, be confirmed in writing not later than seven days after the earliest date on which action on the application may occur.
- I, David Bole, live at 907 Shelly Avenue, Austin, TX 78703, ph: 512-217-5454, and declare myself an interested party to the decision made, and resulting impact, on the permit for 1204 W. 9th Street. I have engaged in regular conversation and written communication with COA at various points throughout this process since 9/27/10. The decisions which resulted in the misuse of LDC and inappropriate building guidelines for the property in question were not discovered until the release of the permit (attached). The decision was made only days before the approval of the permit. However, I contacted the Residential Review immediately upon discovering the error and have been in consistent conversation ever since. The project has been put on hold. There is ample time to correct the mistake before anything is built on the rear of the lot at 1204 9th Street. Details of all dates and content of communication are available upon request and an email chain with Residential Review regarding this, and other issues, was submitted electronically to Leon Barba upon imitating the appeal.

David Role

David Bole

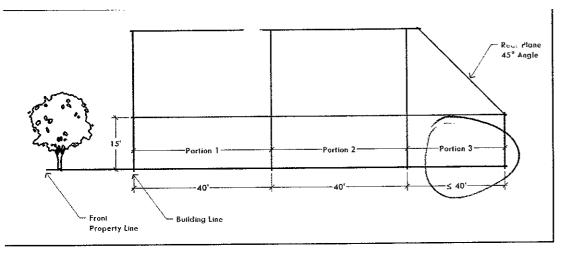


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		TOTAL II C
PUBLIC INFORMATION	FOLDER	R DETAILS Work Project Spring Application Issue Expiration
THIOKIMALION	Permit/Cuse Reference Description	Sub Type Type Name Status Date Date Date
Public Search	nartial demo of existing afres - removal of portion	of
	eastern gable to accomplate reconstruction and addi of new enclosed sleeping porch, removel of from	ition
Issued Permit Report	covered wood porch to accomodate rebuild of ne	
Keporc	2011-001967 2011- porch and removal of northern wall to accommodate	Addition & and OTH ST Approved Jan 10, 2011 3, 2011
REGISTERED	garage, second floor master suite and third level stu	idy.
USERS	addition of 123 sf storage cellar below existing hor full remodel of existing remaining structure - ner	me.
	wiring, plumbing, hvac and drywall throughout.	Related Folders: <u>Yes</u>
New Registration		Kusika torati: Tes
Update Registration	FOI D	ER INFO
	Information Description	Value
My Permits/Cases	Smart Housing	No
My Licenses	Building Valuation Remodel	175000
	Electrical Valuation Remodel	20000
Request / Cancel / View Inspections	Will Addition have Electrical Work?	Y≈ 25000
Alem Tushecrious	Mechanical Valuation Remodel Will Addition have Mechanical Work?	Y8
My Escrow Accounts	Plumbing Valuation Remodel	36000
	Will Addition have Plumbing Work?	Ya
Reports	Total Valuation Remodel	250000
Login	Total Job Valuation	60000 No
-	Is this property in MUD?	MF-4-NP
HELP	Current Zoning for Building Name of Neighborhood Plan	OLD WEST AUSTIN
Mas Hala	Subdistrict	NONE
Web Help	Status	APPROVED WITH ZONING
FEEDBACK	Is Historical Review Required?	Yes Yes
	Approved by HLC or Hist Preserv. Officer HLC or Hist, Preserv. Officer Apprv Date	Jen 20, 2011
Email Us	Historical Recommendation Comments	none
	1704 Flag?	No
	is there a Cut & Fill in excess of 4 ft	No 32
	Building Height (in feet)	2
	Parking Spaces Required Number of Bathrooms	•
	Size of Water Meter	3/4
	Front Set Back	25 1 8.4 6 6
	Rear Set Back	fear Set back
	Side Set Back Street Side Set Back	15 fear Set back 15 No stres stres No See Set back at 9 1/2.
	Does property access a paved alley?	No X INTENT
	Current Use	sires Mac this Rear
	Proposed Use	sfres No
	Change of Use	8820 a 1 hack at 9 1/2
	Square Footage of Lot Trees greater than 19'	yes Set back at 112.
	Existing 1st Fir Area Sq. Ft	
	Existing 2nd Flr Area Sq. Ft	190 Id and dack
	Existing 3rd Fir Area Sq. Ft	However, set-Sack
	Existing Basement Sq. Ft Existing Attached Garage/Carport Sq. Ft	averaging was used to calculate
	Existing Detached Garage/Carport Sq. Ft	o accepted in as
	Existing Wood Decks Sq. Ft	0 400125115
	Existing Breezeways Sq. Ft	used to calculate
	Existing Covered Paties Sq. Ft	326 Ujea To Carous I
	Existing Covered Porches Sq. Ft Existing Balconies Sq. Ft	o . 11 1 - which
	Existing Swimming Pool(s) Sq. Ft	the setback - which
	Existing Other Bid/Covered Areas Sq.Ft	
	Total Existing Building Square Footage	is not allowed on the
	New/Addn 1st Fir Area Sq. Ft	191
	New/Addn 2nd Fir Area Sq. Ft New/Addn 3rd Fir Area Sq. Ft	289 123 124 125
	New/Addn Basement Sq. Ft	123
	New/Addn Attached Garage/Carport Sq. Ft	11 14
	New/Addn Deteched Garage/Carport Sq. Ft	through 1st,
	New/Addn Wood Decks Sq. Ft New/Addn Breezeways Sq. Ft	j j
	Heatten proposed and ve	



Printed from Subchapter F.

CITY OF AUSTIN Ju 2/3/11

RESIDENTIAL PERMIT APPLICATION "A"

WIIKES

ĺ	BP Number _ or	001767
i	Building Permit NA.	
Ì	Plat No.	Date
ı	Reviewer_	\
		······································

PRIMAR PHROJECT DATA		9#/\.l	\
Service Address 1304	Wisth St	Tax Parcel No.	
Legal Description	-		
Lot 1:2 Block 3	Subdivision Div 2 Flancock Sub	division	Section Phase
If in a Planned Unit Develops (attach final appr	nent, provide Name and Case No roved copies of subdivision and site plan)		
If this site is not a legally su	bdivided lot, you must contact the Development As	ssistance Center for a	Land Status Determination.
Description of Work	X Remodel (specify)	and cian floors	>/rewire/replumbin
New Residence	<u></u>	return Kon com	aplete home remodel
Duplex	X Addition (specify)	marian back	portion of hoose
Garageattached Carport attached	—·····	ildinas bri	ide connection to
Pool	detachedOther (specify) TOON		G .
Zoning (e.g. SF-1, SF-2)			
Height of Principal building	ft. # of floors 2 Height of Other	er structure(s)	ft. # of floors
- Does this site currently have wa	ater and wastewater availability? Yes No.	if no, please contact	t the
Austin Water Utility at 512-972	2-0000 to apply for water and/or wastewater tan	application or a com	ica Aviancian Facusat
- Does this site have a septic syst	em? Yes No. If yes, for all sites requiring	ig a septic field you n	nust obtain an approved scrtic
permit prior to a zoning review Does this site have a Board of Ac	v. djustment ruling?Yes ∠No If yes, attach th	P.O. A. daa	•
Will this development require a c	out and fill in excess of 4 feet? Yes X No	ie B.O.A. documentar	ю п
Does this site front a paved street		/No	
	ntial Design and Compatibility Standards Ordinanc		Yes No
VALUATIONS FOR	VALUATIONS FOR NEW CONSTRUCTION	· · · · · · · · · · · · · · · · · · ·	(- <u></u>
REMODELS ONLY	OR ADDITIONS ONLY TAD	U V2 - Z 3820 1 1	PERMIT FEES For office <u>u</u> se only)
Building \$175,000	Lot Size 8 464 sq.ft.		WADDITIONS REMODELS
Electrical \$20,000	,	1 1 10 1111 10/	102.1370 8
Mechanical \$ 35,000	Job Valuation – Principal Building \$ 250,000 (Luber and materials)	Electrical /\$	234 s
Plumbing \$ 30,000	Job Valuation - Other Structure(s) \$ 350,000	Mechanical \$	(77 s)
Driveway/	(Labor and materials)	Plumbing \\$	21:
Sidewalk \$	TOTAL JOB VALUATION	Driveway	
TOTAL \$ 250,000	(sum of remodels and additions)	& Sidewalk\$_	<u> </u>
(labor and malerials) -	s_ (800,000	TOTAL \$_	\$
	(Labor and materials)	-	
OWNER / BUILDER INFORM	IATION		
OWNER Name Fr	ic. Smith	Te	elephone (h)
- University			(w)
BUILDER Company Na	me Dovid Wilkes Builders	Te Te	elephone 328.9888
Contact/Appl	icant's Name = Kast Vaccon =		Pager
DRIVEWAY/	THE VARIABLE		FAX 329.6972
SIDEWALK Contractor_	60 11 s	Te	elephone <u>173 - 0(23</u>
OF Name	THG(127 -	Te	lephone
OCCUPANCY Address		City	STZIP
E. 1319			
f you would like to be notified when y telephone X e-mail:	our application is approved, please select the method:	(f)	
	y check the status of this application at www.ci.austin.	ty us/development/pioris	20 Deeps
	at the apprecion at attachment	evension action budget budget by	a-uan

Printed by City Staff on 2/28/11.
" Still only site plans submitted" to this date.

CITY OF AUSTIN

RESIDENTIAL PERMIT APPLICATION

I understand that in accordance with Sections 25-1-411 and 25-11-66 of the Land Development Code (LDC), non-compliance with the LDC may be cause for the Building Official to suspend or revoke a permit and/or license. I understand that I am responsible for complying with any subdivision notes, deed restrictions, restrictive covenants and/or zoning conditional overlays prohibiting certain uses and/or requiring certain development restrictions (i.e., height, access, screening, etc.) on this property. If a conflict should result with any of these restrictions, it will be my responsibility to resolve it. I understand that, if requested, I must provide copies of all subdivision plat notes, deed restrictions, restrictive covenants, and/or zoning conditional overlay information that may apply to this property.

I acknowledge that this project qualifies for the Site Plan Exemption as listed in Section 25-5-2 of the LDC.

I understand that nothing may be built upon or over an easement. I further understand that no portion of any roof structure may overhang in any public utility or drainage easement.

I acknowledge that customer will bear the expense of any necessary relocation of existing utilities to clear this driveway location and/or the cost to repair any damage to existing utilities caused during construction.

I also understand that if there are any trees greater that 19 inches in diameter located on the property and immediately adjacent to the proposed construction, I am to schedule a Tree Ordinance review by contacting (512) 974-1876 and receive approval to proceed.
I agree that this application will expire on the 181st day after the date that the application is filed if the application is not approved and an extension is not granted. If the application expires, a new submittal will be required.
APPLICANT'S SIGNATURE DATE 1.5.11
HOME BUILDER'S STATE REGISTRATION NUMBER (required for all new construction)
Rejection Notes/Additional Comments (for office use only):
A - Tanz / N. 200 / V. 1 p. 36 S. Brown
S. F36 . Hor Mulan - Hu
1-13-Man (NO) - No Henter
(heghoson)
OPGRADE MOREN TO 3/4
Mar Sangah 5-2.08!
Service Address
Applicant's Signature
the hopper from the surr

.CIAL PERMIT / LICATION "C"

JING COVERAGE

area of a lot covered by buildings or roofed areas, but not including (i) incidental projecting eaves and similar features, or (ii) ground vel paving, landscaping, or open recreational facilities.

a.	L ^{SI} floor conditioned area.	Existing		New / Addi	tion
а. b,	and a the same area,	1543	sq.ft.	_ 57	sq.ft
	2 nd floor conditioned area	<u></u>	sq.ft.	17-61	sq.ft.
c.	3 rd floor conditioned area		sq.fl.	299	sq.ft.
d,	Basemeni	_	sq.ft_	167	
₹.	Garage / Carport		sq.ft.	133	sq.ft.
	attached	~	sq.ft.	2/4	sq.ft.
	detached		sq.ft. sq.ft.		sq.fi.
f.	Wood decks [must be counted at 100%]	N=	sq.n. sq.fi.	· · · · · · · · · · · · · · · · · · ·	sq.fi.
<u>u</u> .	Breezeways			357	sq.ft.
h.	Covered patios		sq.ft.		sq.ft.
į,	Covered porches	27/	sq.ft.	<u> </u>	sg.ft,
j.	Balconies	326	sq.ft.	34	sq.ft,
k.	Swimming pool(s) [pool surface area(s)]		sq.fl	16	sq.ft.
I.	Other building or covered area(s)		sq,fl	 _	sq.ft.
	Specify Roof Deca		sq.ft.	255	sq.ft.
	TOTAL BUILDING AREA (add a. through l.)	2.459	sq.fi	2,507	sq.ft.
	TOTAL BUILDING COVERAGE ON LOT (subtract, if applicable, h., c., d., k. and f. if uncovered)			77	

IMPERVIOUS COVERAGE

Include building cover and sidewalks, driveways, uncovered patios, decks, air conditioning equipment pad, and other improvements in calculating impervious cover. Roof overhangs which do not exceed two feet or which are used for solar screening are not included in building coverage or impervious coverage. All water must drain away from buildings on this site and buildings on adjacent lots.

			-
a.	Total building coverage on lot (see above)	2.774	sq.ft.
b.	Driveway area on private property	187-	
c.	Sidewalk / wallaware an		sq.lt.
	Sidewalk / walkways on private property	ዎ ች Å	sg.ft.
d.	Uncovered patios		
			sq.ft.
e,	Uncovered wood decks [may be counted at 50%]	୬ସ୍ୟ	sq.fi.
£,	Air conditioner pads		
			sq.ft.
Ē.	Concrete decks	_	sq.fi.
h.	Other (specify) Massacras What I'm		
	Other (specify) Was acres Wind Top	つ り	so fi

TOTAL IMPERVIOUS COVERAGE (add a. through h.)	3 671 sq.ft. 41 4 % of let

JSTIN. **∢TIAL PERMIT APPLI** TION "D" A AREA RATIO INFORMATION

. O BE COMPLETED FOR ALL PROPERTIES LOCATED WITHIN THE RESIDENTIAL DESIGN AND COMPATIBILITY STANDARDS ORDINANCE BOUNDARY AREA.

vice Address 1204 W. 944 STREET	-,, <u>-</u>			
olicant's Signature		_ 1	Date 1 24 25	ш
ROSS FLOOR AREA AND FLOOR AREA RATIO as def	ined in the Aust	in Zonin	g Code.	
	Existing		New / Addit	tion_
I. 1 st Floor Gross Area				_
 a. V³ floor area (excluding covered or uncovered finished ground- floor porches) 		_		
b. 19 floor area with ceiling height over 15 feet.	<u>5 i</u>	sq.ft.	57	Sc[.
c. TOTAL (add a and b above)	15 12,	sq.fi.		sq.
to 10 this (blue it has a porty)	1317	sq.ft.	5.7-	sq.
H. 2 nd Floor Gross Area See note ¹ below				
d. 2 nd floor area (including all areas covered by a roof i.e. porches,	चक्छ	sq.fi,	च4.ι	sq.
breezeways, mezzanine or loft)	<u></u>	sq.fi.		Sq.
e. 2 nd floor area with ceiling height > 15 feet.	구네.	sq.fi.	74	sq.
f. TOTAL (add d and e above)		•		
III. 3 rd Floor Gross Area See note ¹ below				
g. 3 rd floor area tincluding all areas covered by a roof i.e. porches.			.5.5.4	
breezeways, mezzanine or loft).		sq.ft,	259	sq.
h. 3 rd floor area with ceiling height > 15 feet	_	6	_	
i. TOTAL (add g and h above)	025	sq.ft. sq.ft.	⊇89	\$q. .5q.
				sq.
IV. Basement Gross Area				
j. Floor area outside footprint of first floor or greater than 3 feet				
above grade at the average elevation at the intersections of the minimum front yard setback line and side property lines.	<u> </u>	sq.fl.		5q.
manifold from yard setolick time and side property times.				
V. Garage				
kattached (subtract 200 square feet if used to meet the		sq.ft.	<u>le_l</u>	sq.
minimum parking requirement)		r.		
1detached (subtract 450 square feet if more than 10 feet from	***************************************	sq.ft.		sq.
principal structure)				
VI. Carport (open on two or more sides without habitable space		sa.A.	- ,	sa.
above it subtract 450 square feet)				sq.
the state of the section of the sect			11	
VII. TOTAL	<u> </u>	sq.ft.	114%	sq.:
TOTAL CROSS FLOOR AREA				
TOTAL GROSS FLOOR AREA	(aua existing and d-b	pew from		ĺ
GROSS AREA OF LOT	5 C 2	<u>.</u>	_sq. ft.	
ONOGO ANIZA OF LOT	2) 7, 7	الى ا	sq. N.	
FLOOR AREA RATIO (gross the	<i> </i>	o Flori	0.3914 sa. tr.	
ELAOTA ANEA RATIO (gloss to	vu men tänoss ales	a OU (OU)	0. 3944 sq. ft.	

If a second or third thou meets all of the following criteria it is considered to be attic space and is not calculated as part of the overall Gross Floor Area of the structure.

a. It is fully contained within the roof structure and the roof has a slope of 3 to 12 or greater
b. It only has one thou within the roof structure
c. It does not extend beyond the fron poin of the floors below
d. It is the highest habitable portion of the building; and
c. Fifty percent or more of the area has a ceiling height of seven feet or less.

CITY OF AUSTIN	
RESIDENTIAL PERMIT APPLICATION "C"	Oct SHOT - New 129
BUILDING COVERAGE	
The area of a lot covered by buildings or roofed areas, but not including	e (i) incidental projection some and similar
level paving, landscaping, or open recreational facilities.	8 (1) moracular projecting caves and simple matures, or (11) ground
	Existing New / Addition
a. 1 st floor conditioned area	1543
b. 2 nd floor conditioned area c. 3 rd floor conditioned area	3(3).
c. 3 rd floor conditioned area	
d. Basement	
e. Garage / Carport	sq.fi. 123 sq.fi.
attached	sq.ft. sq.ft.
detached	sq.fisq.fi.
f. Wood decks [must be counted at 100%]	sq.ftsq.ft.
g. Breezeways	sq.fisq.fi.
h. Covered patios	sq.ft. sq.ft.
i. Covered porches	sq.fi. 324 sq.fi.
j. Baleonies	310 sq.ft. 34 sq.ft.
k. Swimming pool(s) [pool surface area(s)]	sq.ft. lo sq.ft.
l. Other building or covered area(s)	sq.nsq.n.
Specify_	sq.ft. 255 sq.ft.
TOTAL BUILDING AREA (add a. through 1.	.) <u>2333</u> sq.ft. <u>2,664</u> sq.ft.
TOTAL BUILDING COVERAGE ON LOT (suffract, if applicable, h., c., d., k. and f. if inference)	
	30.28 700101
IMPERVIOUS COVERAGE	
Include building cover and sidewalks driveness described	
Include building cover and sidewalks, driveways uncovered patios, decalculating impervious cover. Roof overlangs which do not exceed to building coverage or importations coverage.	
milding coverage or impervious coverage. Allowater must drain away fro	am buildings on this site and buildings on adjacent lots.
a. Total building coverage on lot (see above)	2 Las COUNT
b. Driveway area on private property	
b. Driveway area of private property c. Sidewalk / walkways on private property	- sq.fi. Corravel only)
d. Uncovered phios	
e. Uncovered your decks fmay be counted at	sq.ft.
f. Air condigioner pads	30%)sq.ft.
	- 61 SU.FL & XAR PATHWAYS
No.	sq.n.
h. Other (Becily) TOP OF MASON WALL @ Prop. Live	5B sq.11 CPSTRAN ?
TOTA IMPERVIOUS COVERAGE (add a. thro	nighth.) 3 +21 sq.ft.
	38.58 % of lot

` CITY:OF AUSTIN RESIDENTIAL PERMIT APPLICATION "D" FLOOR AREA RATIO INFORMATION

TO BE COMPLETED FOR ALL PROPERTIES LOCATED WITHIN THE RESIDENTIAL DESIGN AND COMPATIBILITY STANDARDS ORDINANCE BOUNDARY AREA.

Service Address 1204 W. 9 TH STREET		
Applicant's Signature) as f
GROSS FLOOR AREA AND FLOOR AREA RATIO as de	fined in the Austin Zafrin	g Code.
L 18 Floor Gross Area	Existing	New / Addition
 1st floor area (excluding covered or uncovered finished ground- floor porches) 	1518 sq.ft,	31.8 sa ti
 b. 1st floor area with ceiling height over 15 feet. c. TOTAL (add a and b above) 	sq.ft.	
 H. 2nd Floor Gross Area See note ¹ below d. 2nd floor area tinchaling all areas covered by a roof i.e. porches, 	<i>A</i> -	
breezeways, mezzanine ar loft) e. 2 nd floor area with ceiling height > 15 feet.	790 sq.ft.	791 sq.ft.
f. TOTAL (add d and e above)	790 sq.ft.	791 sq.ft.
111. 3 rd Floor Gross Area See note ¹ below g. 3 rd floor area tincluding all areas covered by a roof i.e. phyches, breezeways, mezzanine or loft).	sq.fi.	<u>289</u> _sq.fi.
b 3 rd floor area with ceiling height > 15 feet i. TOTAL (add g and h above)		sq.fl.
IV. Basement Gross Area j. Floor area outside footprint of first floor or greater than 3 feet	Ð	289
above grade at the average elevation at the infersections of the minimum front yard setback line and side property lines.	sq.ft.	
V. Garage k. attached isubtract 200 square feet if fixed to meet the	sq.ft.	-200 (61)q.fi.
minimum parking requirement) L. detached tsubtract 450 square feif if more than 10 feet from principal structure)	sq.ft.	sq.fi.
VI. Carpart topen on two or more gives without habitable space above it subtract 450 square feet	sq.ft.	sq.ft.
VII. TOTAL	<u>2333</u> sq.ft.	<u> 1) 9.8</u> sq.ft.
TOTAL GROSS FLOOR AREA	(add existing and new from 3531	
GROSS AREA OF LOT	B. 8106	
FLOOR AREA RATIO (gross f		0.398 sq. ft.

If a second on find from meets all of the following criteria it is considered to be after space and is not calculated as part of the overall Gross Floor Area of the structure and the roof has a slope of 3 to 12 or greater.

It only loss one those within the roof structure and the foot has a slope of 3 to 12 or greater.

It only loss one those within the roof structure.

It does not extend beyond the first point of the floors below.

It is the highest habitable portion of the building, and.

Fifty percent or more of the area has a ceiling height of seven feet or less.

HTY OF AUSTIN **:ESIDENTIAL PERMIT APPLICATION "D"** LOOR FREA RATIO INFORMATION

TO BE COMPLETED FOR ALL PROPERTIES LOCATED WITHIN THE RESIDENTIAL DESIGN AND COMPATIBILITY STANDARDS ORDINANCE BOUNDARY AREA.

vice Address 1204 W. 949 STREET				
olicant's Signature		Dat	c	
COSS FLOOR AREA AND FLOOR AREA RATIO as d	lefined in the Austi	n Zoning (Code	
 I. Ist Floor Gross Area a. Ist floor area (excluding covered or uncovered finished ground-floor porches) b. Ist floor area with ceiling height over 15 feet. c. TOTAL (add a and b above) 	Existing	sq.n	New / Add	ition sq.f
 11. 2nd Floor Gross Area See note ¹ below d. 2nd floor area (including all areas covered by a roof i.e. porches, breezeways, mezzanine or loft) e. 2nd floor area with ceiling height > 15 feet. f. TOTAL (add d and e above) 		sq.ft sq.ft sq.ft sq.ft	57. 791 791	sq.f sq.f sq.f
 111. 3rd Floor Gross Area See note ¹ below g. 3rd floor area (including all areas covered by a roof i.e. porches, breezeways, mezzanine or laft). h. 3rd floor area with ceiling height > 15 feet i. TOTAL (add g and h above) IV. Basement Gross Area 	/	sq.ft sq.ft sq.ft	289 289	sq.f sq.f sq.fi
j. Floor area outside footprint of first floor or greater than 3 feet above grade at the average elevation at the intersections of the minimum front yard setback line and side property lines.		sq.fi		sq.fi
V. Garage kattached (subtract 200 square feet if used in meet the minimum parking requirement) 1detached (subtract 450 square feet if fore than 10 feet from		sq.ft sq.ft		sq.fi sq.fi
principal structure) VI. Carpurt (open on two or more sides without habitable space above it subtract 450 square feet)		sq.fl		sq.0
VII. TOTAL	2,353	sq.ft	1198	sq.ft
FOTAL GROSS FLOOR ARE GROSS AREA OF LOT	A (add existing and n 353 Mgo > 866	s	above) . ft. . ft.	

If a second or third theor of second of the following criteria it is considered to be attic space and is not calculated as part of the overall Gross Floor Area of the structure.

It is fully contributed within the roof structure and the mof has a slope of 3 to 12 or greater.

It only has one floor within the roof structure.

It these not extend beyong the hypoprint of the floors below.

It is the highest inbitable portion of the building; and.

Fifty percent or more of the area has a ceiling height of seven feet or less.



CITY O JSTIN Neighborhood Planning and Zoning Department RESIDENTIAL DEMOLITION PERMIT APPLICATION

BP	PR	NRD	HDP
REFERRED BY:		NRHD:	
□RELEASE PERMIT			Са
□Do Not Release	PERMIT		
DPENDING HLC RI	eview		
	Histo	oric Preservation Officer	Date
A 🗌 TOTAL or 🏻	PARTIAL Demolition of	of the 🏿 Single Family Reside:	nce, 🗌 Duplex, 🗌 Tri-plex
or Other	Located at: 1204 West	9th	
PARTIAL DEI	MOLITION ONLY - Id all(s), roof or portion of v	RED FOR ALL DEMOL entify (specify location North, wall(s) and roof to be demolished ast Wall, entire roof covering	South, East West, etc.)
Applicant's Compa	ny Name: David Wilkes	s Builders Owner's Compan	y Name: First of Mony. C
Applicant Catheri	ne Wilkes	Owner's Name:Eric &	c Cynthia Smith
Address:5450 Bee	Caves Road Suite 4b	Address:1204 West 9	th Street
City:Austin		City:Austin	
State:TX ZIP:7874	6-	State:TX ZIP:78703-	
Phone: (512)328-98	888 Fax: (512)329-6972	Phone: (512) -	Fax: () -
E-mail:catherine@	davidwilkesbuilders.com	n E-mail:ets@smithhq.i	net
Please submit the	following to complete th	nis application:	
Site Plan or State the structure. Plan not to exc	Clearly identify the sta	et address, location of structur ructure(s) or portion of the at	re on site and dimensions of ructure(s) to be demolished.
Copies will NO	Certificates-Travis Co. T be accepted - If Tax (just be shown through o	Tax Assessor's Office-5501 A Certificate is in a name other the connecting documents	Airport Boulevard, 854-9473 han the current owner, proof
	showing the structure	(s) or portion of the structure	e(s) proposed for demolition.
🔲 \$25 Fee per ap	plication for Historic Pr	eservation Office Review	
(Development As filing for a Resid the property for	sistance Center) that n lential Demolition Pern historic significance, :	ed Protection and Developm new construction will be permi nit. Once the Historic Preserv a demolition permit may be 05 Barton Springs Road. Addit	tted at this location <u>before</u> vation Office has reviewed obtained from the Permit

Revised 1/6/2011 9:48:00 AM

RESIDENTIAL DEMOLITION PERMIT APPLICATION

PAGE 2

- \[
 \subseteq \text{Yes} \cdot \text{Will the proposed work require the use of City right-of-way? If "Yes" a Right of Way Management (Rowman) Application must be approved prior to any such activity. Applications may be obtained in the Watershed Protection and Development Review located on the 8th floor at One Texas Center 974-7180, or at http://www.ci.austin.tx.us/rowman/index.cfm
- □ No ☒ Yes Is the structure currently tied onto water and/or sewer services provided by the City of Austin? Please contact 494-9400 for water and sewer service information.
- 3. ☐ No ☒ Yes Will the proposed work require the removal of a protected size tree or impact the critical root zone as defined within the City of Austin tree protection ordinance? "If "Yes" a Tree Ordinance Review Application must be approved by the City Arborist prior to any such activity. Applications may be obtained in the Development Assistance Center, One Texas Center 974-6370. Any demolition or relocation work, which results in damage or destruction of a protected tree without authorization is a City ordinance violation. Additional information may be obtained from the City Arborist, 974-1876, or at http://www.ci.austin.tx.us/trees/

CERTIFICATION

I/we hereby certify that I/we am/are the owner(s) of the above described property. I/we am/are respectfully requesting processing and approval of the above referenced permit(s) review.

- ☑ I/we hereby authorize the Applicant listed on this application to act on my/our behalf during the processing and presentation of this request. They shall be the principal contact with the City in processing this application, OR
- As owner(s) of the above described property, I/we hereby file as the Applicant for the processing and presentation of this reguest. I/we shall be the principal contact with the City in processing this application

Owner's Signature

Date

Date

Conner's Signature

Date

Conner's Signature

Date

Conner's Signature

Date

Conner's Printed Name

Sworn and subscribed before me this day of Catherine Wilkes

Notary Public in and for the State of Texas

My commission expires on:

I certify that the information provided is true and correct to the best of my knowledge and is an accurate reflection of my intentions for the property. I understand that any omission or incorrect information herein will render this application and any permit obtained invalid. I agree to comply with the requirements in all applicable codes. I understand that any substantial modifications or additions to this application can mean the requirement of an additional review.

I understand that no work may begin prior to review by the Historic Preservation Office and issuance of the demolition permit by the Permit Center. I understand that the Historic Preservation Office review does not imply approval of the demolition permit, and that if the structure(s) is determined to be potentially historic as defined by §25-11-214 of the City of Austin Land Development Code, additional review by the Historic Landmark Commission may be required.

Applicant's Signature Date

Nelda Wells Spears 's County Tax Assessor-Collector P.O. Box 1748 Austin, Texas 78767 (512) 854-9473

ACCOUNT NUMBER: 01-1002-0621-0000

PROPERTY OWNER:

PROPERTY DESCRIPTION:

FIRST OF MANY LLC 702 TEXAS AVE APT A AUSTIN, TX 78705-1730

LOT 1 * & 9.42FT OF LOT 2 BLK 3 OL T 4 DIV Z HANCOCK SUBD

ACRES

.1943 MIN% .00000000000 TYPE

SITUS INFORMATION: 1204 W 9

This is to certify that after a careful check of tax records of this office, the following taxes, delinquent taxes, penalties and interests are due on the described property of the following tax unit(s):

YEAR ENTITY
2010 AUSTIN ISD
CITY OF AUSTIN (TRAV)
TRAVIS COUNTY
CENTRAL HEALTH
ACC (TRAVIS)

TOTAL 4,584.39 1,707.84 1,740.35 268.64 355.32

TOTAL SEQUENCE

8,656.54

TOTAL TAX: UNPAID FEES: INTEREST ON FEES: COMMISSION: TOTAL DUE ==>

8,656.54 NONE * NONE * NONE * 8,656.54

ALL TAXES PAID IN FULL PRIOR TO AND INCLUDING THE YEAR 2010 EXCEPT FOR UNPAID YEARS LISTED ABOVE.
The above described property may be subject to special valuation based on its use, and additional rollback taxes may become due. (Section 23.55, State Property Tax Code).
Pursuant to Section 31.08 of the State Property Tax Code, there is a fee of \$10.00 for all Tax Certificates. GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS DATE OF 01/06/2011

Fee Paid: \$10.00

Nelda Wells Spears Tax Assessor-Collector.

DIAZJ printed on 01/06/2011 @ 10:45:20:85

Page#

201016074

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY AND ALL OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

GENERAL WARRANTY DEED

THE STATE OF TEXAS

`§

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF TRAVIS

8

THAT First of Many, LLC, a Texas limited liability company, hereinafter referred to as "Grantor", whether one or more, for and in consideration of the sum of TEN DOLLARS (\$10.00) cash, and other good and valuable consideration in hand paid by the Grantee, herein named, the receipt and sufficiency of which is hereby fully acknowledged and confessed, has GRANTED, SOLD AND CONVEYED, and by these presents does hereby GRANT, SELL and CONVEY unto Eric T. Smith et ux, Cynthia G. Smith, herein collectively referred to as "Grantee", the real property described as follows:

Lot 1 and the easterly 9.42 feet of Lot 2, Block "3" out of LOUIS HANCOCK'S SUBDIVISION OUT OF THE SOUTH HALF OF OUTLOT 4, DIVISION "Z" of the Government Tracts adjoining the City of Austin, Travis County, Texas, according to the map or plat thereof recorded in Volume 2, Page 175 of the Plat Records of Travis County, Texas, and being that same property described in a deed recorded in Doc. No. 2008179015 of the Official Public Records of Travis County, Texas.

The conveyance herein are made and accepted subject to any and all validly existing liens, encumbrances, conditions and restrictions, relating to the hereinabove described property as now reflected by the records of the County Clerk of Travis County, Texas.

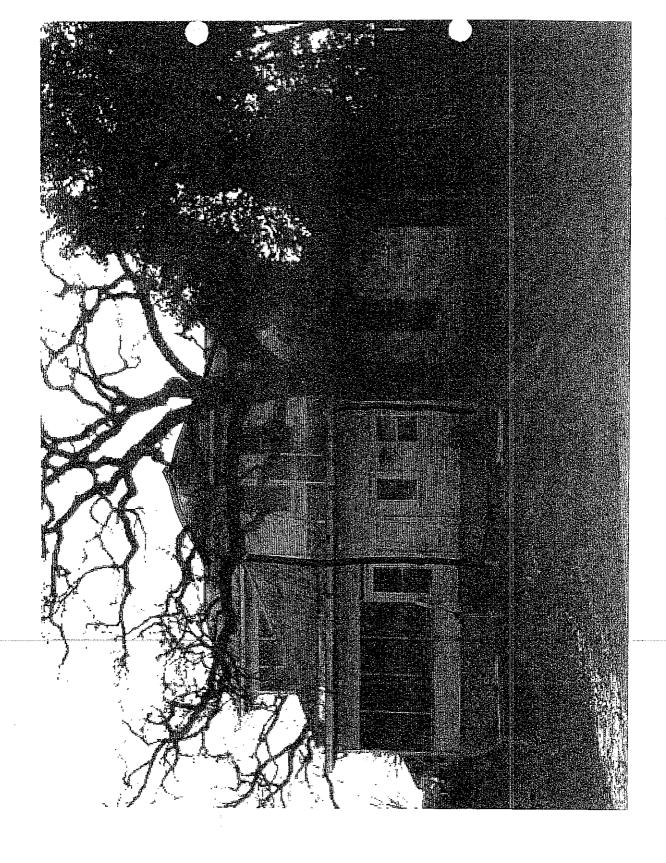
TO HAVE AND TO HOLD the above described property, together with all and singular the rights and appurtenances thereto in anywise belonging unto the said Grantee, Grantee's heirs, executors, administrators, successors and/or assigns, against every person whomever claiming or to claim the same or any part thereof.

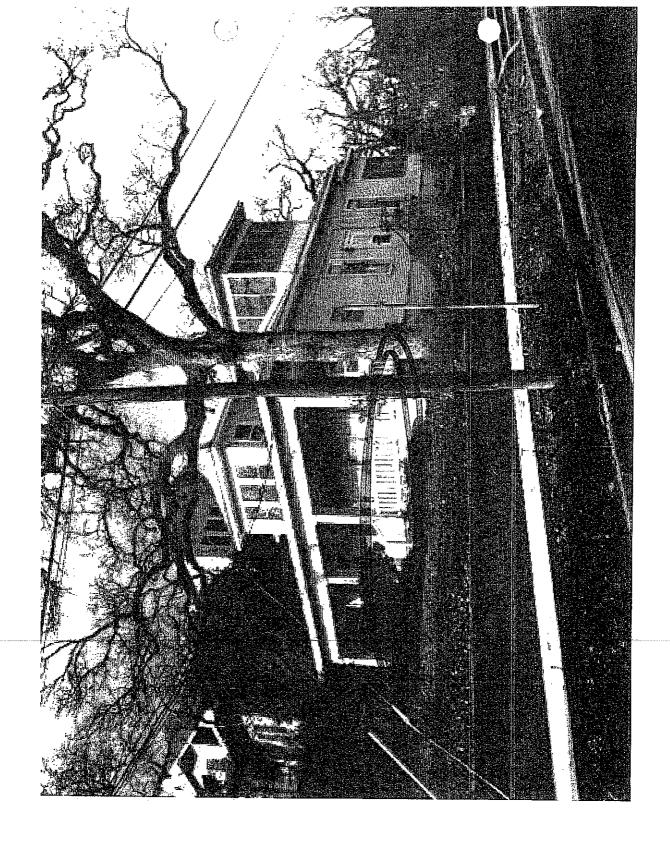
Current ad valorem taxes on said property have been prorated, the payment thereof is assumed by Grantee.

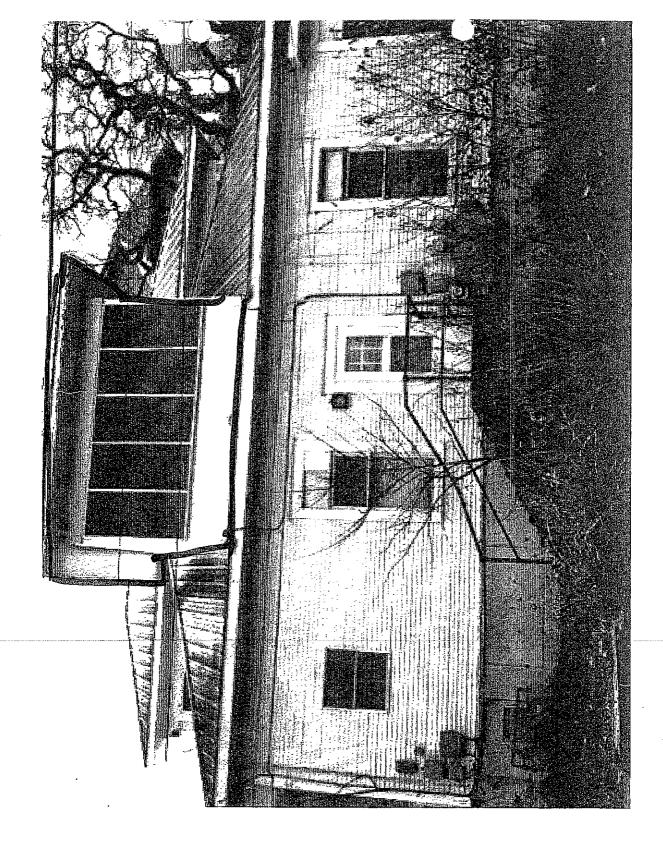
GENERAL WARRANTY DEED

1

•			
EXECUT	3D this 28th day of _	October	2010.
	-	FIRST OF MANY, LL company Cric T. Smith, Member	C, a Texas limited liability
		Cynthia G. Smith, Men	nto '
Grantee's	Address:		
702 Texas Austin, Te Travis Co	xas 78705		
	ACI	CNOWLEDGEMENT	•
State of Te	xas	8	•
County of	Trais	\$ \$ \$	
UCTOO!		Smith and Cynthia G	the <u>ZK</u> day of . Smith, sole Members of First If of said limited liability
	ASHLEY AHNE JOHNS TO Yorkin. State of Texas Wy Contin serion Expires June 01, 2014	Ashly Some of Cotary Public, State of Cotary	Texas
AFTER RE	CORDING RETURN TO		
Eric T. Smi 702 Texas A Austin, Te	Avenue	FILED AND OFFICIAL PUBLIC	•
GENERAL V	VARRANTY DEED	Oct 28, 2010 @ HOLMC: g Dana DeBeauvoir, Travis County	20.00 County Clerk







Villarreal, Victor

From: Sadowsky, Steve

Sent: Thur

Thursday, January 20, 2011 10:21 AM

To:

'Ed Hughey'

Cc: Villarreal.

Villarreal, Victor; 'Kasi'; La Bonte, Lei Lonnie

Subject: RE: Landmark Commission Approval - 1204 West 9th Street

Victor

The HLC reviewed this project and had no additional recommendations. It is good for a permit. The required review has been completed. Thanksl

Steve Sadowsky Historic Preservation Officer City of Austin, Texas 974-6454

From: Ed Hughey [mailto:ed@hurtpartners.com]
Sent: Thursday, January 20, 2011 10:19 AM
To: Sadowsky, Steve
Cc: Villarreal, Victor; 'Kasi'; La Bonte, Lei Lonnie
Subject: Landmark Commission Approval - 1204 West 9th Street

Steve,

Hope you're doing well, happy new year.

Quick question for you: we're in the final phase of the permit process with Victor Villarral in residential review. He's unaware of any information regarding the landmark process we went through in the fall (October meeting I believe). Can you pass any information on to Victor or is there an approved set we can pick up and deliver to him?

Appreciate your time, Ed

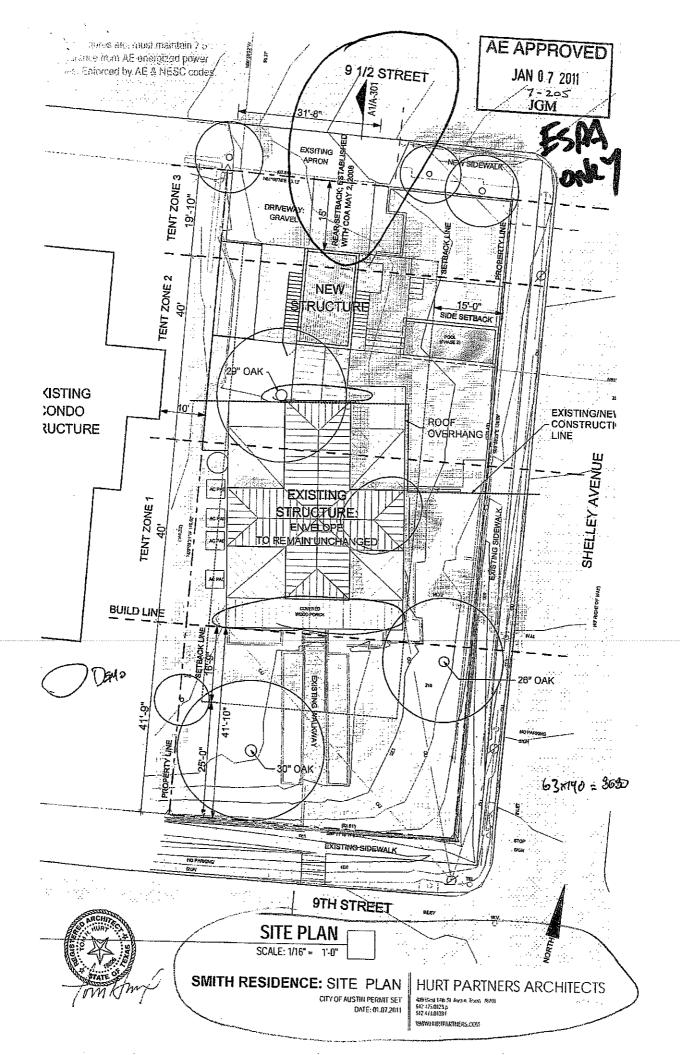
HURT PARTNERS ARCHITECTS

409 West 14th Street Austin Texas 78701 [0] 512-473-0123 x 204 [c] 412-780-4397

www.hurtpartners.com

This message is confidential. If this message is received inadvertently, then please advise the sender immediately. HURT PARTNERS ARCHITECTS does not accept responsibility for changes to any e-mail or attachments which may occur after the e-mail has been sent. Attachments to this e-mail may contain software viruses which could damage your systems. HURT PARTNERS ARCHITECTS may have checked the attachments for viruses before sending, but it is recommended that the recipient checks all documents before opening. The recipient is reminded that e-mail is not secure and thus not legally binding. It is recommended that all sensitive information is sent by traditional means or carriers.

1/20/2011



ONE STOP SHOP

505 Barton Springs
Austin, Texas 78701
(512) 974-2632 phone
(512) 974-9112 phone
(512) 974-9779 fax
(512) 974-9109 fax



check this box if this is for a building permit only.

Austin Energy <u>Electric Service Planning Application (ESPA)</u> <u>For Residential and Commercial "SERVICE ONLY"</u> <u>Under 350 amps 1¢ or 225 amps 3¢</u>

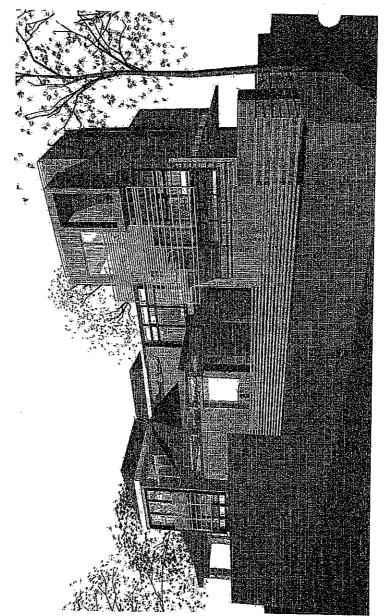
(Please print or type. Fields left blank will be considered Not Applicable.)
Responsible Person for Service Request Phone 328.9888
Email Kasi @ Aavia wilkesbuilders.com Fax 339.6973
Project Name W 9th St
Project Address 1204 M Sth St OR
Legal Description Lat 1 \$ 9.42 Ft of Lat 2 BIK3 OH 4 Div Z Lot 1; 2 Block 3 Hancock Sobdiv.
Requested Service Duration: Permanent Service Construction Power/Temp Service
Who is your electrical service provider? AE Other
Overhead or Underground Voltage Single-phase (1¢) or Three-phase (3¢)
Service Main Size(s)(amps) Number of Meters?
AE Service Length (ft.) Conductor (type & size)
SqFt Per Unit #Units All Electric Gas & Electric Other
Total AC Load (Tons) Largest AC unit (Tons)
LRA (Locked Rotor Amps) of Largest AC Unit (Amps)
Electric Heating(kW) Other(kW)
Comments: Rear House Addition
ESPA Completed by (Signature & Print name) Dete Phone
Approved: Yes No (Remarks on back)
Application expires 180 days after date of Approval AE APPROVED
(Any change to the above information requires a new ESPA)
Version 1.1.0.0 JAN 0.7 2011 7 - 205
Version 1.1.0.0 ***Contained from AE energized power 7 - 205 **Contained from AE energized power JGM ***Contained by AE & WESC codes.
PARTICIPANTE OF THE PARTICIPANT



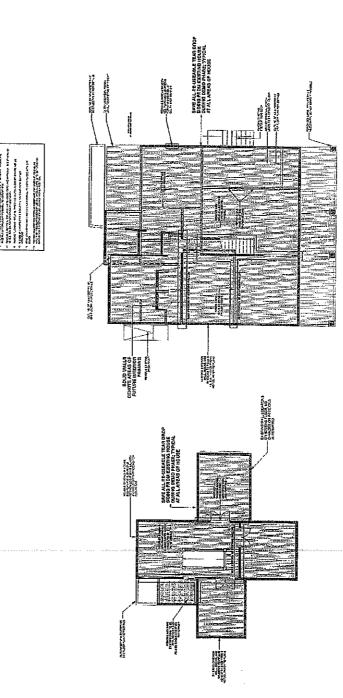
Austin Water Utility Water & Wastewater Service Plan Verification (W&WW SPV)

PLEASE READ IMPORTANT INSTRUCTIONS ON PAGE 2

(Please Print or Type)
Customer Name: Kasi Printer Phone: 328.9888 Alternate Phone:
Service Address: 1204 W 9th
Lot: 13 Block: 3 Subdivision/Land Status: Hancock Tax Parcel ID No.:
Existing Use: vacant single-family res. duplex garage apartment other
Proposed Use: vacant single-family res. duplex garage apartment other
Number of existing bathrooms: A/A 9-Med? Number of proposed bathrooms: 4
Use of a pressurized auxiliary water system (i.e. rainwater harvesting, well water, lake/river water, etc.) Yes No
City of Austin Office Use
Water Main size: D Service stub size: AU Service stub upgrade required? New stub size:
Existing Meter number: 848/6 Existing Meter size: 584 Upgrade required? New size:
WW Service: Septic System/On-Site Sewage Facility (OSSF) or WW Collection System (WW Main size:
If a pressurized auxiliary water system is or will be installed, please contact the Utility's Special Services Division (SSD) at 972-1060, 3907 South Industrial Blvd., Suite 100 for consultation and approval.
Auxiliary Water (if applicable) Approved by SSD (Signature & Print name) Approved: Yes (see attached approved documents) No
If the site has an OSSF, please contact Utility Development Services (UDS) at 972-0210 or 972-0211, Waller Creek Center, 625 E. 10 th Street, Suite 715 for consultation and approval.
W&WWSPV Completed by (Signature & Print name) Date Phone
OSSF (if applicable) Approved by UDS (Signature & Print name) AWU Representative Approved: Yes (see attached approved documents) Date Phone Phone Phone
NOTE: For residential plan review, this original stamped "approval" must be submitted with the stamped "original" noof plan,
Varification and Island
NA O 3 co.
PLEASE READ IMPORTANT INSTRUCTIONS ON PAGE 2 JAN 0 ? J



THE SMITH RESIDENCE | HURT PARTNERS ARCHITECTS |



TATALES COLUMN C

DEBOTANIE REST PLOON

PARL DENO SECOND

